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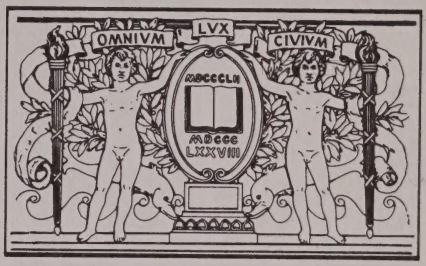

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NORTH AMERICAN REVIEW.

No. LXVI.

NEW SERIES, NO. XLI.

JANUARY, 1830.

ART. I.—*A Political and Civil History of the United States of America, from the Year* 1763 *to the Close of the Administration of President Washington, in March,* 1797; *including a summary View of the Political and Civil State of the North American Colonies prior to that Period.* By TIMOTHY PITKIN. 2 vols. 8vo. New Haven. 1828. H. Howe.

THIS is the first attempt, we believe, to write a political and civil history of the United States, disconnected from military operations and the general thread of events. The plan has its advantages, but it may perhaps be doubted whether these are predominant. For a class of readers, already well versed in the narrative part of our history, this mode of grouping together and bringing into their proper relations the political incidents has much to recommend it; but this class is small. The mass of people read history mainly to be amused, and they are carried along with the narrative, even when the movements of the machinery of state, and the political acts and designs of rulers, have little in them to quicken interest, or gratify curiosity. There is another objection to this method. History is a series of causes and effects; it is a chain, in which each successive link depends on the preceding; you may call one political, and another military, and another social, yet there is a mutual relation and dependence between them, which cannot be broken without force, or without detriment. You may discuss the policy of a nation, of a particular administration, or of an indi-

vidual ruler; you may examine political principles, the features of a constitution, the elements of social union, and penetrate as deeply as you will into the mysteries of government and the organization of society; all these topics may be treated to any extent as of separate importance, but when you weave them together into a history, without regarding the great public events of which they are the causes or consequences, you manifestly work at a disadvantage, and are able at last to sketch but an imperfect outline of the picture, which you aim to exhibit in its full proportions and distinctive colors.

It will be seen at once, therefore, that Mr Pitkin has undertaken a difficult task. It must not be understood, however, that he goes to the extreme, which some might infer from his title-page, of separating the political and civil from the other branches of history. He never loses sight of his chief purpose, yet he does not wholly discard narrative where it is essential to the developement of political principles and acts. Philosophical history makes no part of his plan, nor does he often venture into the region of conjecture or speculation; but his primary object is to embody, in as methodical a manner as the subject will admit, the political characteristics of the different forms of government and society, which have existed in this country, from the time of the first settlement of the colonies, till the retirement of Washington from the presidency. In prosecuting this design he brings under review the early charters, and traces their operation in the several colonies. The proprietary and royal governments are examined in the same manner. At length come the difficulties between the assemblies and governors, or rather between the people and the agents of royalty, which grew up into the causes of the revolution. These are pursued to their results. From that period to the end of his work he manages the abundance of his materials with good judgment, and with a strict adherence to his plan.

Mr Pitkin well observes in his Preface, that no complete history of the British Colonies in America can be written, without consulting the manuscript papers in the offices of the English government. In fact, it would be an absolute waste of time in any person to engage in such an undertaking, till he can have free and full access to this mass of materials. Chalmers had this privilege, and he seems to have used it effectually; but his work embraces a comparatively small part

only of our colonial history, and that by no means the most attractive part. It was hoped, that Congress would take measures to procure copies of these papers, as both the states of Georgia and North Carolina had made application to the general government for this object, in reference to those states. The committee of ways and means, nearly two years ago, reported a bill recommending such a measure, and making provision for procuring copies of all the papers in the English offices, relating to the colonial history of this country. The bill, however, was never heard of more, and lay undisturbed upon the table, till it was swept away amidst the rubbish of forgotten things. Congress have so much to do with the present, that they find no leisure to think of the past. We all love to boast, and even our members of Congress are not loath to proclaim in the halls of legislation, that we are an enlightened, liberal, and improving people; yet the British Parliament make *an annual appropriation* for printing ancient manuscript records and documents, to more than double the amount it would cost to procure a copy of all the American colonial papers. They have commissioners of their own body appointed on purpose to superintend the selection and publication of these papers. Sir James Mackintosh is an active and zealous member of this board of commissioners. An editor is also appointed, whose business it is to examine the manuscripts, compare the printed sheets with the originals, and execute all the duties, which naturally devolve upon an editor. This is a work in perpetual progress, and will at length become a treasure of great importance for the future historians of England.

There is probably no nation in civilized Europe so indifferent to its history as the people of the United States; that is, if we may judge of the feelings of the people from the acts of their representatives. Our writers are fond of vague, abstract declamation about our ancestors; but who they were, or what they did, how they thought and how they lived, what influence they had upon their age, or in guiding the destiny that awaited their posterity; these are questions that very few ever dream to be worth investigating. They are, nevertheless, the essence of genuine history, and from them we are to learn, not only to reverence what is good in the characters and deeds of our forefathers, but to enjoy the inheritance they have transmitted to us, and profit by their example. Mere empty declamation about these things comes to nothing, except to puff up our van-

ity, and add to our ignorance the ridiculousness of talking pompously about ourselves. It is time for our writers and declaimers to dismiss such puerilities, and betake themselves to the study of history in its stern attribute of truth, and in its dignified office of weighing in the scales of justice the acts of men and the records of ages.

Notwithstanding the difficulty of overcoming the *vis inertiæ* of Congress in such a matter as this, which has no bearing on the election of president or amendments of the constitution, yet there is a fair prospect that individuals will accomplish something. Biographies of eminent men, and local histories, are multiplying. These will bring out many facts, which the general historian may one day turn to a good account. It must be confessed, however, that these biographies are for the most part *eulogies;* and should the future historian rely on these alone for his authority, our descendants of the tenth generation will have the pride of looking back upon the most immaculate cluster of statesmen and heroes, that have adorned the annals of any nation. This is surely better than the contrary, but the best of all is truth. The eulogist is a partial judge of the acts and character of him, whom he sets up as a pattern, and tasks himself to praise. The histories of the different states, which are coming out from time to time, will contribute much to the general stock of materials.*

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* We take this opportunity to notice one of the histories of this description, which has recently appeared. We refer to the 'History of Massachusetts, by Alden Bradford.' This work is a continuation of Hutchinson and Minot, and embraces a very interesting period of the history of the state. It is contained in three volumes, the last of which has just been published. The first volume treats of the time between the years 1764 and 1775, when Washington took the command of the American army; the second pursues the narrative to the beginning of the federal government under the constitution in 1789; and the third comes down to 1820. The author's long employment, as secretary of the commonwealth of Massachusetts, has given him peculiar advantages for examining authentic records and documents; and this, together with his well known love of historical research, ensures a value to these volumes for completeness, accuracy, and fidelity, which few authors have the means of imparting.

Among the periodical works of a historical character, Hazard's Register of Pennsylvania deserves great praise. The volumes, that have already appeared, contain a rich fund of useful and important materials. Its purpose is to exhibit the statistics, political and civil transactions, progress of internal improvements, and every kind of useful information relating to Pennsylvania. It is made a

Mr Pitkin traces briefly, but with discrimination, in the principles and forms of our colonial governments, the primary causes of the revolution, and the elements of the systems which succeeded. New England was under *charter governments*. These resembled each other in their prominent features, and secured important privileges to the people. They were allowed, for instance, to choose their own governors, to elect a legislative assembly, and establish courts of justice. The assembly was empowered to pass any laws concerning the colony, with the only provision that these laws should not be opposed to any of the laws of England. For a few of the first years of the Massachusetts government, the chief control was in the hands of the governor and his assistants. At length the people, whose numbers were increasing, began to claim a greater share in the administration of affairs. At a meeting they resolved, that the power to make laws, appoint officers, and impose taxes, should rest with the *General Court* alone, and that this General Court should be composed of two or three members chosen from each plantation by the people. 'This, though not strictly warranted by the charter, was generally assented to, and became a fundamental part of the constitution of the colony. The assistants and deputies at first met together in the same room, and the former claimed a negative on the acts of the latter. This created no little dispute between them, and was not finally settled until 1644, when it was mutually agreed, that the legislature should consist of two separate bodies, each having a negative on the other.' At this early period the mode of legislating by two separate houses was introduced into Massachusetts.

The origin of the Connecticut government was somewhat peculiar. A company of emigrants from Massachusetts settled on the Connecticut river, at the towns of Hartford, Wethersfield, and Windsor. The government was first in the hands of persons designated by the legislature of Massachusetts, called magistrates, and assisted by committees from the towns, who gave their advice on important occasions. This scheme was of short duration; for the people, finding themselves beyond

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depository, also, of historical fragments of early times, selections from manuscripts, and reprints of rare pieces, which have a permanent value. It is the best devised and most successful attempt of the kind, which we have seen. The plan might be followed with great advantage in every state.

the limits of the Massachusetts charter, thought it convenient to establish a form of government for themselves.

'The outlines of this constitution were, that there should be two general assemblies held in each year, one in April and the other in September. The one in April was called the court of election, at which were to be chosen a governor, and six magistrates, at least, and other public officers, as should be found requisite—the governor and magistrates to hold their offices for one year, and the governor was to be chosen from the magistrates. The governor and magistrates to be elected by those admitted freemen by the towns, and had taken the oath of fidelity. The mode of electing magistrates, was, it is believed, peculiar to Connecticut, and well calculated to prevent the choice of improper persons, either from the momentary impulse of the electors, or intrigues of the candidates. No person could be elected to that important station, who had not been proposed or nominated at some preceding General Court. The towns, by themselves, or their representatives, had a right to make such nominations, and transmit them to the court, and the court might add such names as they thought proper. The names of the persons thus nominated were published, and out of this number alone could the magistrates be chosen, by secret ballot, in the following manner. On the day of election, the names of the persons thus nominated at the preceding assembly, were called over in order by the secretary; and the freeman who desired the person called to be chosen, gave in a piece of paper, with some writing upon it; and those who did not wish him to be elected, gave in a blank; and those who had more written than blank papers were elected. No person could be chosen governor for two years in succession; and the governor must have been a magistrate, and also a member of some approved congregation.

'The towns were to be represented in the general assembly by deputies, chosen by the freemen of the same; the towns of Hartfort, Wethersfield, and Windsor, to send four each, and the towns afterwards to be made, as many as the court should direct. The representatives to be chosen by those who had been admitted inhabitants of the town, and taken the oath of fidelity.' Vol. I. pp. 43, 44.

It is remarkable, that the substance of this system, or constitution, founded at the very outset of the colony, was retained in the charter of Charles the Second, and remained the same throughout the colonial period, the changes of the revolution, under the constitution of the United States, and even down to the new constitution of Connecticut, adopted eleven years ago, into which instrument many of its principles are incorporated.

The settlement on the Connecticut river consisted of eight hundred persons, when this form of government was instituted.

All the world knows the history of Roger Williams, and the liberal and enlightened spirit by which the institutions of Rhode Island were established under his influence. So well did these accord with the principles of liberty and right, that the charter obtained in conformity with them, not only secured to the people the privilege of self-government under the colonial organization, but formed the basis of a system entirely adequate to all the ends of a free government in its widest application.

The most remarkable feature in the history of the charter governments is the confederacy into which they entered in 1643. Besides its agency in guiding the events of the time, it was the prototype of the confederacy of the states during the revolution, which was in fact the germ and vivifying principle of our existence as a nation. There is so much similarity in the substance of the two confederations, as to prove that the legislators in Congress were not unwilling to profit by the wisdom and example of their forefathers. The author describes the New England confederacy as follows.

'This union was proposed by the colonies of Connecticut and New Haven, as early as 1638, but was not finally completed until five years after. This confederacy of these infant colonies continued about forty years; and the confederacy itself, and the proceedings under it, constitute an interesting portion of the political history of New England. It consisted of the colonies of Massachusetts, New Plymouth, Connecticut, and New Haven. By the articles of confederation, as they were called, these colonies entered into a firm and perpetual league of *friendship and amity*, for offence and defence, mutual advice and succor, upon all just occasions, both for preserving and propagating the truth and liberties of the Gospel, and for their own mutual *safety and welfare*. Each colony was to retain its own peculiar jurisdiction and government; and no other plantation or colony was to be received as a confederate, nor any two of the confederates to be united into one jurisdiction, without the consent of the rest. The affairs of the united colonies were to be managed by a legislature to consist of two persons, styled commissioners, chosen from each colony. These commissioners had power "to hear, examine, weigh, and determine all affairs of war or peace, leagues, aids, charges, and number of men for war,—division of spoils, and whatsoever is gotten by conquest—receiving of more confederates for plantations, into combination with any of the confederates; and all things of a like nature, which are the proper *concomitants* and *consequences*

of such a confederation for amity, offence, and defence; not intermeddling with the government of any of the jurisdictions, which, by the third article, is preserved entirely to themselves." The commissioners were to meet annually, in each colony, in succession, and when met, to choose a president, and the determination of any six to be binding on all.

'The expenses of all just wars to be borne by each colony, in proportion to its number of male inhabitants of whatever quality or condition, between the ages of sixteen and sixty.

'In case any colony should be suddenly invaded, on motion and request of three magistrates of such colony, the other confederates were immediately to send aid to the colony invaded, in men, Massachusetts one hundred, and the other colonies forty-five each, or for a less number, in the same proportion.

'The commissioners, however, were very properly directed, afterwards, to take into consideration the cause of such war or invasion, and if it should appear that the fault was in the colony invaded, such colony was not only to make satisfaction to the invaders, but to bear all the expenses of the war.

'The commissioners were also authorized "to frame and establish agreements and orders in general cases of a civil nature, wherein all the plantations were interested, for preserving peace among themselves, and preventing as much as may be all occasions of war, or difference with others, as about the free and speedy passage of justice, in every jurisdiction, to all the confederates equally as to their own, receiving those that remove from one plantation to another, without due certificates."

'It was, also, very wisely provided in the articles, that runaway servants, and fugitives from justice, should be returned to the colonies where they belonged, or from which they had fled. If any of the confederates should violate any of the articles, or, in any way injure any one of the other colonies, "such breach of agreement, or injury, was to be considered and ordered" by the commissioners of the other colonies. This confederacy, which was declared to be perpetual, continued without any essential alteration, until the New England colonies were deprived of their charter by the arbitrary proceedings of James II. In the year 1648, some of the inhabitants of Rhode Island requested to be admitted into the confederacy, but they were informed that the Island was within the patent granted to New Plymouth, and therefore their request was denied.' Vol. I. pp. 50, 51.

The main objects of the confederates were to protect themselves against the Dutch at New York, and the Indians. The line between New York and Connecticut was run and settled under the direction of the commissioners, and the famous war

with King Philip was prosecuted by the united forces of the confederate colonies.

An anecdote in the history of those times shows, that tariff-making is not a modern device in our legislation. The town of Springfield, on the Connecticut river, was within the jurisdiction of Massachusetts. A fort had been erected at the mouth of the river, which was supported at the charge of Connecticut, and the provident people of that colony imposed a duty on certain articles, which the inhabitants of Springfield were in the habit of carrying down the river, in search of a market, beyond the limits of the colony; alleging as a reason, that, as the people of Springfield were benefited by the protection derived from the fortification at the mouth of the river, they ought to contribute their share of its expense. This was deemed a grievance and an indignity by Massachusetts, and, according to the provisions of the confederation, the case was referred for decision to Plymouth and New Haven, as not being interested in the result. They gave it in favor of Connecticut. Far from being satisfied with this judgment, Massachusetts resorted to a retaliatory act, imposing a duty on similar articles imported from New Haven, Connecticut, and Plymouth, within the Castle of Boston harbor; assigning as a reason, that the castle had been built and was kept up at a great expense for the protection of all ships, which entered the harbor. At the next meeting of the commissioners a remonstrance was brought in from the three colonies; but as the fort at Saybrook was soon after destroyed by fire, and the duties in consequence abolished, the affair was pursued no farther.

The charter governments were founded on a more liberal basis than the others, as they left much in the hands of the people. They were not without troubles and embarrassments. The king and parliament claimed the right of altering them, or even revoking them altogether; whereas the colonies denied such right, affirming that the charters were sacred compacts, which could not be annulled or infringed, unless their conditions had been violated by the party to whom they were granted. The charters were, nevertheless, sometimes forcibly taken away, and the injuries thus inflicted led to ceaseless contentions, which were among the chief causes of the revolution.

The *proprietary governments*, as the name indicates, were in the hands of proprietors, or individuals, who had derived grants from the king in their own name, with authority to set up

a civil government and make laws, under certain restrictions with reference to the crown. This plan prevailed in Maryland, Pennsylvania, the Carolinas, and the Jerseys. The most remarkable of the proprietary governments was that of Pennsylvania, on account of the peculiar character and humane purposes of its founder. Pennsylvania and Maryland were the only colonies, which remained under the proprietary system till the revolution; the others had reverted to the crown, and become royal governments at a much earlier date.

This system, in fact, answered but indifferently the ends of colonization. It was suited only to an old country, where the lands were held in large portions, and the people accustomed to the condition of tenants. In a new country, where all are laborers, it is essential to the prosperity of the community, and the happiness of the people individually, that the land should be held in small parcels and in fee simple by the laborers themselves. Each man will feel, that his exertions are for his own benefit and for that of his family, and out of regard to his interest he will become an efficient and faithful member of the body politic, to whose laws and restraints he chooses to submit. There was a marked difference, in this respect, between the proprietary and charter governments. 'The New England colonists,' says Mr. Pitkin, 'clung to their charters as the ark of their political safety, in opposition to the claims of the king and parliament; while those under the proprietary governments, and especially in Pennsylvania, New Jersey, and Carolina, on the other hand, sought refuge and protection from the oppression of the proprietors, under a royal government.' In short, under the proprietors, even those who were personally least objectionable, the people were always restless, full of complaints, and struggling for a change.

The rule of taxation, adopted by the proprietors, gave the greatest offence, and caused serious difficulties, particularly in Pennsylvania. They insisted on having their property, which in lands extended to a large portion of the province, exempted from taxation, even when this was laid for the defence of the colony, and for the mutual protection of property. So inequitable a demand very naturally incensed the people. The deputy governors, who resided in the colony, were instructed not to sanction money bills, which did not recognise this exemption. The assembly considered this a breach of chartered right, and sent a remonstrance to the king by the hands of Dr

Franklin. He succeeded in bringing the proprietors to consent, that their estates should bear a proportional assessment, although they afterwards endeavored to revoke this decision. The disputes and difficulties increased, till they were superseded by the more stirring events, which finally broke the chain of colonial dependence.

The third mode of governing the colonies, by *royal governments*, is described in the following brief summary of the author.

'The governor and the council were appointed by the crown, and the people elected representatives to serve in the colonial legislatures. The governor held his office by a commission from the king, and was to be governed by such royal instructions, as he from time to time received. The council derived their authority, both executive and legislative, from the same instructions. In their legislative capacity, they constituted the upper house, having a negative on the acts of the representatives; and in their executive capacity they acted as advisers of the governor. The latter had a negative on the acts of both houses; and the acts themselves, though approved by the governor, were finally subject to the revision of the crown. The judges and most of the other officers were, also, appointed by the king. The judges held their offices during the pleasure of the crown; and the governor, as well as the judges, were at first dependent upon the colonial legislatures for their salaries.' Vol. 1. p. 71.

Under this system the people complained of many oppressions from the governors; but that it was more acceptable than the proprietary system, is to be inferred from the fact, that the colonists under the proprietors wished the latter to be exchanged for the former. The royal governors were too independent of the assemblies. They would refuse to convene them regularly, or prorogue them in a fit of passion or caprice, when they were not yielding to their demands, and harass them by insisting on some odious prerogative, or making claims as odious, or affixing their *veto* to important bills. The assemblies commonly revenged themselves by withholding grants of money, and passing high-toned resolutions, and now and then sending a spirited remonstrance to the crown. The contest, begun in ill humor, and continued with recrimination, usually ended in reproaches and mutual disrespect. The history of Virginia and New York afford illustrations in point.

Were it consistent with our present object, it would be interesting to accompany the author through the several stages

of colonial history, and witness from step to step the progress of those principles and occurrences, which paved the way to the opening scenes of the revolution. This curious research has never yet been prosecuted with the aid of all the lights that are to be thrown upon it. The great landmarks, however, are already fixed; and it must be the fortunate enterprise of some future historian to complete the task, when time shall unfold its records, and the past give up its treasures to the present. On two great topics, *representation* and *taxation*, there was an incessant difference of opinion between the king and parliament, and the colonists. The governors and assemblies were frequently in a quarrel on these points. The colonists claimed it as the basis of their *rights*, to make the laws by which they were to be governed, and to impose the taxes they were to pay. The contest respecting the former was confined to the royal governments, for the right of representation was secured by charter to the people under the charter and proprietary systems. It was decided by the law authorities in England, that the king could alter or annul at pleasure the laws passed by the assemblies under the royal governments. This decision was founded on the notion, that the right of representation depended on the will of the king, and was derived to the colonies by the commissions and instructions of the crown. These doctrines struck at the very root of freedom, making the assemblies a mere cipher, and virtually taking from the people all participation in the government. They were a fruitful source of animosity and contention.

The subject of *taxation* spread into much wider consequences, because it applied equally to all the colonies. From the beginning, the colonists had at various times declared, that no taxes could be levied except by the representatives of the people, chosen by themselves. They uniformly acted on this principle, in opposition to the repeated attempts of the governors to extort money on various pretences. No systematic plan was adopted, however, as a ministerial measure, for laying internal taxes on the colonies, till the French power had become reduced in America. Such a project had been suggested to Walpole and Pitt during their administrations, but never adopted or matured. 'I will leave the taxation of the Americans,' said Walpole, 'for some of my successors, who may have more courage than I have, and be less a friend to com-

merce.' After the termination of the French war, it was deemed a favorable opportunity to carry the project into effect, under pretence of raising money to discharge the debt incurred in that war, chiefly, it was said, on account of the colonies, to protect them against a powerful enemy. This was a short-sighted and impolitic view of the matter; for after the colonists were freed from the fear of their old enemies, the French, on their frontiers, it was not likely they would be more ready to yield to what they deemed oppressive demands from the mother country. This juncture was, therefore, unwisely chosen for the experiment, as the result proved. The stamp act was passed, and its fate was such, as hardly to encourage a future attempt. Yet the same ignorance of the temper and feelings of the colonists, the same infatuation of the ministry, spurred on by the mortification of a former defeat, and a fixed resolution to subdue the refractory spirit of the colonies, prompted to a speedy repetition of the same measure. The anecdote in the following extract shows in what manner men are sometimes impelled to act, on important occasions, without regard to the merits of the question.

'A new administration was formed, under the direction of Mr Pitt, composed of men of different political principles and parties. The Duke of Grafton was placed at the head of the treasury, Lord Shelburne was joined with General Conway, as one of the secretaries of state. Charles Townshend was made chancellor of the exchequer, Camden, lord chancellor, Pitt had the privy seal, and was made a peer, with the title of the Earl of Chatham, and Lord North and George Cooke were joint paymasters. Under this chequered administration, afterwards so ludicrously described by Mr Burke, the scheme of taxing America was revived. In May 1767, the new chancellor of the exechequer submitted a plan of this kind to parliament. Charles Townshend was a man of genius and talents, but of high passions, eccentric, and versatile. He had warmly supported Lord Grenville, in the passage of the stamp act, and had voted with the Marquis of Rockingham, in its repeal. The ex-minister, Grenville, may indeed be considered the real author of the second plan for taxing the colonies. He lost no opportunity, in the House of Commons, of passing severe censures on the Americans, for their obstinacy and ingratitude in refusing to pay their proportion of the public expenses; nor was he sparing of his complaints against the ministry and parliament, for their weakness and cowardice in yielding to the claims of the colonists.

'Declaiming, as usual, one evening, on American affairs, he addressed himself particularly to the ministers,—"You are cowards," he said; "you are afraid of the Americans, you dare not tax America." This he repeated in different language. Upon this Townshend took fire, immediately rose and said, "Fear, fear, cowards, dare not tax America! I dare tax America."

'Grenville stood silent for a moment, and then said,—"Dare you tax America? I wish to God I could see it." Townshend replied, "I will, I will."

'Soon after this he submitted to the House a bill imposing duties on glass, paper, paste-board, white and red lead, painters' colors, and tea, imported into the colonies.' Vol. I. pp. 216, 217.

Mr Pitkin refers for this anecdote to the manuscript papers of Dr William S. Johnson, who was then in England as agent for Connecticut.

From this date the author's work acquires a new interest. By bringing into view only the political history of the revolution he is enabled to go more fully into that subject, than previous writers. We do not agree with all his positions, but doubtless they are as accurate as could be made from the materials to which he had access. For instance, he tells us, that 'the project of reducing Canada was brought before Congress soon after the arrival of the French minister, and was warmly supported, if not suggested by him.' Now, so far from supporting such a measure, the French minister was expressly instructed not to listen to it; and this was the uniform tenor of the instructions of the French government, not only to their ministers in this country, but to their military officers. It has been said, that France wished the Americans to seize Canada, that it might be ceded to her on a treaty of peace. This is not true, although such a suggestion was made to France by Congress. To all hints of this sort, alike in regard to Canada, Nova Scotia, and the Floridas, the French ministry replied, that the king could not aid the Americans in projects of *conquest;* that he was pledged to support them in their claim to the territory of the United States, which they had declared independent, and this pledge he would faithfully execute; but as he did not undertake to assist them in pushing conquests, nor did he think it for their interest, and as he had no wish to gain any accessions of territory for himself on the American continent, he must decline uniting with them in any such schemes. The policy of France in adopting this course we shall not stop to examine, but the fact is unquestionable.

The negotiations for the treaty of peace are among the most important in the annals of diplomacy. Peace was at the same time to be made between five contending powers. The clashing interests thus involved threw innumerable difficulties in the way, and threatened serious embarrassments. These were in some degree diminished and removed, by carrying on the negotiations in separate parts. That is, separate commissioners were appointed to negotiate with the Americans, and with the other powers. This method gave a unity and simplicity to the business, which it could not have possessed, if the negotiations had proceeded together. The plan was proposed by Dr Franklin, and cordially acceded to by the British and French ministry.

Several erroneous statements have gone abroad, and been formally repeated in histories, respecting the American negotiations at Paris for the treaty of peace. This is not the place to examine the subject in all its parts, but there is one point on which we feel it our duty to speak in the present connexion. Our thoughts are called to it by an extraordinary passage in Mr Cooper's late work on the United States. His words are here quoted.

'The Count de Vergennes had early succeeded in persuading Dr Franklin, that as England could not, nor would not formally acknowledge the *Independence* of America, his better course would be to accept a *truce* for twenty years, at the end of which period his country would be sufficiently strong to take what she needed for herself. The philosopher is said to have acquiesced in this opinion, and began to stir his mighty reason in maturing the terms of this remarkable truce. In this state of mind he was found by Mr Jay on his arrival from Madrid. The latter was not slow to perceive the effects of such a course, nor to detect the secret source whence the insidious counsel flowed.

'Mr Jay denounced the policy of the Count de Vergennes, and declared that the unqualified independence of his country must be a *sine quâ non* in any treaty which bore his name. Mr Adams soon joined the negotiation, and took the side of independence. Franklin, who was at heart a true patriot, suffered the film to be drawn from his eyes, and perfect union soon presided in their councils. But England had not been unapprised of the disposition of America to receive a truce. Her commissioner, Mr Oswald, appeared with instructions to go no further. In this dilemma a step is ascribed to Mr Jay, that I believe is as remarkable for its boldness as for its good sense. He is said to have written, with his own hand, to the English secretary of

state, pointing out the bad consequences to England herself, if she adhered to her present policy. By keeping the truce suspended over America, she forced that country to lean on France for support; whereas by admitting her at once into the rank of nations, England would obtain a valuable customer, and might also secure a natural friend. Thus instructed in a better policy, the English minister saw his error; and the same courier, who conveyed the letter of Mr Jay, returned with instructions to Mr Oswald to acknowledge the independence of the United States. Finding themselves embarrassed by the Count de Vergennes, believing they were betrayed, in the spirit of their alliance at least, and knowing that France could not find the smallest difficulty in settling her own affairs without their agency, the American commissioners proceeded to sign a treaty of peace in the very teeth of their instructions, without the knowledge of the French minister.'—*Notions of the Americans, &c.* Vol. I. p. 77.

It would be difficult to comprise a larger number of errors within the same compass, than are contained in this extract, or to throw a more deceptive coloring over the few facts that are mingled with them. In the first place, the author's notions of the *truce*, which he mentions, are imaginary, having hardly a shadow of foundation. The idea of a truce was first suggested by Spain, three years before the negotiations for peace, when his Catholic Majesty made an effort to mediate between France and England. To relieve this mediation from the American difficulties, it was thought a long truce between England and the United States, something like that which existed formerly between Spain and Holland, might be resorted to in a manner advantageous to both parties. The idea seemed practicable to the French court, and the minister of his Most Christian Majesty at Philadelphia was instructed to lay the subject before Congress. This was accordingly done; and although there was a difference of opinion, yet a majority approved the project, on the supposition that peace could not be obtained on favorable terms, and the commissioners were authorized to treat for a *truce* on certain conditions. The instructions from the British ministry to Mr Oswald also purported, that he was to treat for a 'peace or truce.' But here the affair ended. The Spanish mediation failed; nor does it appear that the subject of a *truce* ever came into discussion in any way whatever between the British and American commissioners. From the very outset we hear of nothing but propositions for a *treaty of peace*. It is true, the truce was much talked about, both in

America and in Europe, after the proposal of Spain; but we repeat, that the subject never came formally before the commissioners during their negotiations for peace. This fact alone destroys the whole superstructure of Mr Cooper's narrative.

If we pursue his remarks further, we shall find them to involve graver errors. The implied censure on the character of Franklin, and the part he took in these transactions, is equally unjust and incorrect. It is in fact directly opposite to the reality. The author would have us infer, that Dr Franklin was indifferent to the independence of his country, and that this acquisition, as preparing the way for a permanent treaty, was chiefly owing to the firmness and superior patriotism of Mr Jay. Let us see how this accords with facts.

Mr Jay arrived in Paris from Spain on the twenty-third of June. Two or three months before this date, the British ministry began to think seriously of peace; and Mr Oswald was sent to Paris with instructions to converse freely with Dr Franklin, and endeavor to ascertain the nature and extent of the American claims, as well as the disposition of the French ministry in regard to peace. Mr Oswald accordingly had several interviews with Dr Franklin, talked over from time to time the general outlines of a proposed reconciliation and peace between England and the United States, and reported the substance of his conversations to his government. Dr Franklin was, at first, reserved in his communications, but assured the British agent, that the United States were ready to make a peace on honorable and equal terms, whenever it should appear, that their enemies were prepared to meet them on that ground. Being convinced at length of the sincerity of Mr Oswald's intentions, and that the British ministry were in earnest, Dr Franklin submitted to him certain propositions, which he said would come under consideration in negotiating for a peace. The following extract of a letter from Mr Oswald to the Earl of Shelburne, dated the tenth of July, 1782, will explain the nature of these propositions, and the views of Dr Franklin.

'In consequence of Dr Franklin's appointment, as mentioned in my letter of the eighth, I went out to his house this morning, and staid with him near two hours, with a view of obtaining the information and advice I wished for, as to the terms and conditions upon which he thought a treaty between Great Britain and the commissioners of the colonies might be carrying on and proceed to a conclusion. Having reminded him of what he in a

manner promised on the sixth, he took out a minute and read from it a few hints, or articles; some, he said, as necessary for them to insist on; others, which he could not say he had any orders about, or were not absolutely demanded, and yet such as it would be advisable for England to offer for the sake of reconciliation and her future interest; viz.

'Points NECESSARY to be granted;

'1. Independence, full and complete in every sense, to the thirteen United States, and all troops to be withdrawn from thence.

'2. A settlement of the boundaries of *their* colonies, and the loyal colonies.

'3. A confinement of the boundaries of Canada, at least to what they were before the last act of parliament, I think in 1774, if not to a still more contracted state on ancient footing.

'4. A freedom of fishing on the Banks of Newfoundland. I own I wondered he should have thought it necessary to ask for this privilege.

'Then as to the ADVISABLE articles, or such, as a friend, he would recommend to be offered by England;

'1. To indemnify many people who had been ruined by towns burnt and destroyed. The whole might not exceed five or six hundred thousand pounds. I was struck at this. However the Doctor said, though it was a large sum, it would not be ill bestowed, as it would conciliate the resentment of a multitude of poor sufferers, who would have no other remedy, and who, without some relief, would keep up a secret revenge and animosity, for a long time to come, against Great Britain; whereas a voluntary offer of such a reparation would diffuse a universal calm and conciliation over the whole country.

'2. Some sort of acknowledgment in some public act of parliament, or otherwise, of our error in distressing those countries so much as we had done. A few words of that kind, the Doctor said, would do more good than people could imagine.

'3. Colony ships and trade to be received and have the same privileges in Britain and Ireland, as British ships and trade. I did not ask any explanation on that head for the present. British and Irish ships in the colonies, to be, in like manner, on the same footing with their own ships.

'4. Giving up every part of Canada.

'If there were any other articles of either kind, I cannot now recollect them, but I do not think there were any of material consequence; and I perhaps was the less attentive in the enumera-

tion, that it had been agreed to give me the whole in writing. But after some reflection, the Doctor said he did not like to give such writing, and, hesitating a good deal about it, asked me if I had seen Mr Jay, the other commissioner lately come from Madrid. I said I had not. He then told me it would be proper I should see him, and he would fix a time for our meeting, and seemed to think he should himself want to confer with him before he gave a final answer. I told him if I had such final answer, and had leave, I would carry it over to England. He said that would be right, but as Mr Grenville told him he expected another courier in four or five days, I had better wait so long, and he would write along with me.

'Upon the whole the Doctor expressed himself in a friendly way toward England, and was not without hope, that if we should settle on this occasion in the way he wished, England would not only have a beneficial intercourse with the colonies, but at last it might end in a federal union between them. In the mean time we ought to take care not to force them into the hands of other people.

'From this conversation I have some hopes, that it is possible to put an end to the American quarrel in a short time, and when that is done I have a notion that a treaty with the other powers will go more smoothly on. The Doctor did not, in the course of the above conversation, hesitate as to a conclusion with them, on account of any connexion with those other states, and in general seemed to think their American affairs must be ended by a separate commission. On these occasions I said, I supposed in case of such a commission he meant that the power of granting Independence would be therein *expressly mentioned.* He said, No doubt.'

In considering this letter, it is important to keep in mind, that it was written before the British commissioner had seen Mr Jay, and three months and a half before Mr Adams arrived in Paris. It must be deemed, therefore, as expressing the unbiassed opinions of Dr Franklin, and the results of his previous conversations with Mr Oswald. Let it be observed, that in this paper, *independence is made the preliminary step to all other proceedings.* Let it be moreover observed, that it contains *all* the essential outlines of the peace, as it was actually concluded. Certain histories have told us, that Franklin was lukewarm about the fisheries, and willing to pass them over, but in this paper they are enumerated as an ESSENTIAL. It is a fact capable of demonstration, that, from the beginning to the end of the negotiation, he was a strenuous asserter of this privi-

lege for the United States. In regard to his notion of *independence*, and *the fisheries*, Mr Grenville, the British commissioner for negotiating with France, writes as follows to Lord Shelburne, on the ninth of July; 'The other day, for the first time, Dr Franklin gave me to understand, that America must have her share in the Newfoundland fishery; that the limits of Canada would likewise be a subject for arrangement; nor does he cease to give the most decided discouragement to any possible plan of arrangement with America, short of *complete and distinct independence in its fullest sense.*' This was the very time when Mr Cooper tells us, that Franklin was 'stirring his mighty reason in maturing the terms of the remarkable truce,' and that 'in this state of mind' he was found by Mr Jay. The subject need not be pursued. The testimony is complete and irresistible.

As to another part of the extract, which tells of an extraordinary letter from Mr Jay to the English secretary of state, it is left without any meaning, when it is known, that no truce was in agitation; for the letter is said to have been caused by the dilemma into which the negotiators were thrown, on account of the instructions of Mr Oswald to negotiate only for a truce. As Mr Oswald had no instructions of this kind, the supposition of such a letter vanishes. It may be, that the author had in his mind a vague recollection of a circumstance which happened at another time. In the primary stages of the negotiation, the British ministry had declared through their commissioners in the most explicit terms, that the independence of the United States was to be recognised as a preliminary step to the treaty; but after the death of the Marquis of Rockingham, which happened on the first of July, there seemed to be a change in the views of the ministry. Lord Shelburne, who succeeded the Marquis of Rockingham as first lord of the treasury, was opposed to a direct acknowledgment of independence, and the commission sent to Mr Oswald by the new ministry signified, that this was to be granted *as an article of treaty*, and not by a previous acknowledgment, and the United States were also denominated *Colonies* in the instrument. The American commissioners were much surprised at this change in a point, which they supposed to be settled. Mr Jay, in particular, earnestly remonstrated against it, as being inconsistent with the dignity of the United States. Franklin did not see it exactly in that light, although he pre-

ferred the old method. He doubted, however, whether it was best to break off or delay the treaty on this account, as it was evidently the intention of the British government to acknowledge unqualified independence, although in a different manner from that first proposed. He considered the giving of such a commission to treat with them as a separate nation, to be a virtual acknowledgment of independence. In this opinion he was sustained by a letter, which he had some time before received from Mr Adams in Holland. 'In a former letter,' says Mr Adams, 'I hinted that I thought an express acknowledgment of our independence might now be insisted on, but I did not mean, that we should insist on such an article in the treaty. If they make a treaty of peace with the United States of America, this is acknowledgment enough for me.' When Count de Vergennes was consulted, he said that 'names signified little,' that he thought all the ends might be obtained under this commission, that 'Mr Oswald's acceptance of their powers, in which they were styled Commissioners from the United States of America, would be a tacit admittance of independence,' and that all they had to do was to secure this independence 'by inserting proper articles in the treaty, and fixing limits against all future claims.' Mr Jay was not satisfied with this view of the subject. He insisted, that the dignity of the United States required a formal acknowledgment distinct from the treaty.

Impressed with this idea, he had an interview with Mr Oswald, and explained to him fully the difficulties under which he labored. At Mr Oswald's request he stated his objections in writing, and urged the necessity of England's treating with America on an equal footing. Mr Oswald promised to acquaint the ministry with these reasons, and request a change in the terms of his commission.

Meantime the French cabinet, having heard frequent rumors of Lord Shelburne's insincerity in regard to proposals for peace, sent over secretly Mr Rayneval, secretary of the council, to consult with him, and ascertain from his own observations the actual designs of the British court. This journey, although kept secret at first, soon became known in Paris; and as it happened just at the time of the discussion about Mr Oswald's powers, Mr Jay's suspicions were awakened, and he could see nothing in this manœuvre but some concealed purpose against the United States. He believed that Count de Vergennes wish-

ed the acknowledgment of independence to be deferred, that he might take advantage of this state of things, till the French treaty with England was completed. Dr Franklin had no such fears, but said to Mr Jay, 'This court has hitherto treated us very fairly, and suspicion to their disadvantage should not be readily entertained.' The idea of some ill design on the part of France against America had seized Mr Jay's mind so forcibly, that it was not to be dislodged by this mode of reasoning. His imagination was fertile in devising the means of evil, which our ally had it in her power to practise upon the United States, in promoting her own selfish ends. As a specimen of these workings of the imagination, we quote what he considered to be the reasons of Mr Rayneval's visit to London.

'1. To let Lord Shelburne know, that the demands of America to be treated by Britain as independent, previously to a treaty, were not approved or countenanced by this court, and that the offer of Britain to make that acknowledgment, in an article of the proposed treaty, was, in the Count's opinion, sufficient.

'2. To sound Lord Shelburne on the subject of the fishery, and to discover whether Britain would divide it with France, to the exclusion of all others.

'3. To impress Lord Shelburne with the determination of Spain to possess the exclusive navigation of the Gulf of Mexico, and of their desire to keep us from the Mississippi; and also to hint the propriety of such a line, as on the one hand would satisfy Spain, and on the other leave to Britain all the country north of the Ohio.

'4. To make such other verbal overtures to Lord Shelburne, as it might not be advisable to reduce to writing; and to judge from the general tenor of his lordship's answers and conversation, whether it was probable that a general peace, on terms agreeable to France, could be effected, in order that, if that was not the case, an immediate stop might be put to the negotiation.'

Mr Jay thought this prospect very alarming for the treaty of the United States, and hastened to apply a remedy with the utmost expedition. A gentleman was then in Paris, who was on terms of intimacy with Lord Shelburne, and who, at the request of Mr Jay, agreed to go over to London and converse with his lordship on this subject. This gentleman was furnished by Mr Jay with the arguments, which he wished to operate on Lord Shelburne's mind, in neutralizing the supposed efforts

of Mr Rayneval against the interests of the United States, and in convincing Lord Shelburne, that it was better to make a firm friend of America, than to gain what might at first be thought a temporary advantage, by listening to the insinuations of France. The messenger went to London with these instructions, and performed his task faithfully.

As it turned out, however, there was no occasion for any alarm at all, on the part of the American commissioners. Mr Rayneval's visit had a purpose totally unconnected with their concerns. We have before us a copy of the '*Confidential Note*,' which he submitted in writing to the British ministers during his stay in London, and which contains the topics of his conversations with them. They are here printed from a literal transcript.

'1. As the independence of America is a thing agreed upon, no remark needs be made on that subject.

'2. Restitution of St Lucia, and retrocession of Dominica.

'3. An arrangement for the fisheries of Newfoundland. This matter has been treated discursively with Mr Fitzherbert. If the ideas which have been proposed to him are judged impracticable, I am persuaded they will be weighed with equity at Versailles.

'4. Senegal was an ancient possession of France; she claims to preserve it with its dependences.

'5. The reëstablishment of France in India on the footing of 1754; or, to indicate another epoch, 1749. France does not pretend to acquire territory in India. She demands only an arrangement, which shall ensure the tranquillity of her factories, and provide for their expense.

'6. An abrogation of all the stipulations relative to Dunkirk.

'7. I have said in regard to the king of Spain, that I have been authorized only to give the strongest assurances of his pacific dispositions; but my personal desire to put his Britannic Majesty in a condition to appreciate the means of promoting the peace, has determined me to mention the king of Spain's intention to acquire Gibraltar either by conquest or otherwise. And presupposing that it would be for the interest of England to have in the Mediterranean a point of support for their commerce to the Levant, I have said that I was persuaded that in whatever manner the king of Spain might acquire Gibraltar, that prince would be disposed to assure to Great Britain such a point in the Mediteranean.

'8. It is natural that Holland should demand a restitution of what she has lost. France will facilitate this restitution.'

From this note it seems, that nothing was said about American affairs, except to confirm the independence of the United States, the very topic which Mr Jay had imagined would be made the handle for gaining advantages over them, and which he believed to be the chief cause of Mr Rayneval's journey. This result justified Dr Franklin's opinion, and proved Mr Jay's apprehensions not to be well founded. It is certain, however, that they made a deep impression upon him, and had an influence over his mind, which was probably never removed. Mr Rayneval's confidential note was not made public, and Mr Jay had no means of knowing what had occurred in his interviews with the British ministry. Mr Oswald's commission was changed, in conformity with the first article of the above note, and the negotiators immediately entered upon their work in earnest.

We take occasion here to remark, that Mr Jay's correspondence generally, in regard to France, was too much tinged with suspicions for which he really had very slender reasons, but into which he was led by a series of incidents, that seemed to him inexplicable. The truth is, he had been but a few weeks in Paris, was unacquainted with the details of the French cabinet and the character of the ministers, and had joined the negotiation in its progress. Jealous of his country's rights, elevated in his political principles, true and firm in his patriotism, he watched with a keen eye whatever bore on these topics, and regarded with suspicion the acts and hints, for which he could not discover an obvious motive. When his confidence was once shaken, he gave a great latitude to his conjectures, as we have seen by the example already cited, and he allowed even his judgment to be carried out of its usual course. Dr Franklin, on the contrary, had lived in Paris during the whole war, and had been compelled, from his situation, to hold a constant and close intercourse with the French court; he had thus become intimately acquainted with the characters of the men, their system of policy, and habits of action. Repeated experiments had proved to him in what they were to be trusted and to what extent. Hence, when Mr Jay became alarmed, Franklin was cool and unsuspecting. Satisfied of the good faith of the men, whose entire course of policy he had known for years, he could not admit that there was a dereliction of principle, a deviation from the uniform consistency which he had so long witnessed, until he should see stronger evidence than had yet come to light; and he deemed it a duty to wait

for other events, before he committed the injustice of condemning the conduct of men, who, in all that related to his transactions with them, had been found true to their professions. The issue confirmed the correctness of Dr Franklin's views in this respect, and afforded another proof, if another were wanting, of his sagacity and wisdom.

In short, after an inquiry of no small extent, and with no common facilities, on the subject of our foreign relations during the Revolution, in which Franklin bore so conspicuous a part, we have been impressed with the firmest conviction, not more of his remarkable qualities and powers, than of his strict and undeviating integrity, the purity of his patriotism, his zeal in the cause of his country, and his firmness in maintaining its rights. Every step we have taken has developed some new proofs. The party rancor of the times, the personal jealousy of some of his coadjutors, and a combination of circumstances that may easily be explained, gave a currency to insinuations against his political character, which have been too readily incorporated into history. We shall only add, that we believe those insinuations to have been as ill founded in fact, as they have been unjust and hurtful in their effects.

Mr Pitkin's History is brought down to the close of Washington's administration, and the interest is well sustained to the end. The difficulties encountered under the old confederation, the origin and formation of the new constitution, and the eventful period of Washington's presidency, are dwelt upon in a manner which shows, not only the familiar acquaintance of the author with what he describes, but his knowledge of the spirit of the times, and of the aims and purposes of the principal actors.

Art. II.—1. *Observaciones sobre las Reformas Políticas de Colombia.* Por J. M. Salazar, LL. D. Filadelfia. 1828.

2. *Ensayo sobre la Conducta del General Bolivar.* Reimpreso de los Números 11, 13 y 14 del Duende de Buenos Ayres. Santiago de Chile. 1826.

3. *Proyecto de Constitucion para la República de Bolivia y Discurso del Libertador.* Guayaquil. 1826.

4. *Ojeada al Proyecto de Constitucion que el Libertador ha presentado á la República Bolivar.* Por A. L. G. [Antonio Leocadio Guzman.] Lima. 1826.

5. *Exposicion de los Sentimientos de los Funcionarios Públicos, asi Nacionales como Departamentales y Municipales, y demas Habitantes de la Ciudad de Bogotá, hecha para ser presentada al Libertador Presidente de la República.* Bogotá. 1826. Reimpresa en Nueva York, 1827.

The period, at which we resume the history of Bolivar's life, was the darkest and most disastrous in the annals of the revolution.* New Granada had fallen a victim to the same hostile power which desolated Venezuela; and the patriots of Bogotá suffered the more severely from the vengeance of the Spaniards, because they came in a concentrated body of transatlantic troops, and were led by a chief as merciless in the domestic persecution of the insurgents, as he was terrible in the field of battle. But while Morillo was glutting his cruelty with the blood of the best men of New Granada,—men who, had they escaped the bitter trials of that hour, might have been the means of preserving Colombia from the catastrophe which now threatens her liberties; whilst he and his coadjutor Henrile were cutting off the prominent patriots by a systematic scheme of judicial murders, and crushing the spirits of the people with every engine of misrule which ingenious tyranny could invent; the unconquerable Bolivar, whose ardor no misfortunes quenched, and his persevering associates in arms, were preparing a day of dreadful retribution for the oppressors of their country. These very oppressions, in fact, were the primary cause of the signal overthrow

* For an account of Bolivar's early life and career, see the number of this Journal for January, 1829, p. 203.

of the Spaniards, which so speedily followed upon their complete triumph; for Morillo's injudicious cruelties produced a reaction in the minds of the people, who, maddened by despair, and stimulated by an eager desire to avenge the calamities they had suffered by a system of wanton persecution, stood ready to second any effort made for their deliverance from the yoke of the conqueror. Bolivar availed himself of the operation of this spirit to strike a decisive blow for his country.

Armed opposition to the Spaniards reappeared first in the plains of Cumaná, Barcelona, and the Apure. After the dispersion of the patriot soldiers in 1814, they gathered into small bands of *guerillas*, dispersed in isolated parties over an extensive region, so completely separated from each other, that for months together several of them continued ignorant that any but their own little troop were in arms against the Spaniards. In this partisan warfare, Monagas, Piar, Roxas, and Zaraza, among others, were particularly distinguished. Morillo soon became aware of the formidable character which such bodies, under such leaders, and in such a country, could assume. They unceasingly harassed, and frequently defeated, detachments of the Spanish troops; and by the suddenness of their incursions, and the celerity of their movements, justly acquired the appellation of the Tartars of America. Trained in this partisan warfare, they served as a nucleus, around which future armies might be formed, keeping alive the sacred flame of liberty, in despite of all the efforts of their invaders to extinguish it. At length, Arismendi raised again the standard of independence in the island of Margarita, and, by maintaining himself there, enabled Bolivar and other Venezuelan exiles to land supplies and renew the war. Pétion had received him in Hayti with the kindest hospitality, and furnished him with two battalions of black troops, with which to commence operations. Assembling the emigrants from Venezuela and other exiles from the Main, with a small fleet under the command of Brion, a patriot of Carthagena, he sailed from Aux Cayes in March, 1816, and landing at Margarita in May, compelled the Spaniards to shut themselves up in the fortress of Pampatar. Causing himself to be proclaimed supreme chief of the republic, he sailed for Carupano, a place near Cumaná, beat a detachment of royalists, and opened a communication with the patriot chieftains in the Llanos. Having thus augmented his force to a thousand men, by effecting a junction with some of the gueril-

las, he landed at Ocumare, between La Guayra and Puerto Cabello, and issued a proclamation calling the slaves on the plantations to his standard, and inviting the planters to enfranchise them for the purpose. This measure was not well received by the inhabitants; and Bolivar, who had counted upon their support, being attacked to disadvantage by Morales, and defeated by the loss of his bravest officers, was compelled to reëmbark and return to Aux Cayes.

Nowise disheartened by this misfortune, Bolivar collected fresh reinforcements, and again disembarked at Margarita in December, 1816, where he issued a proclamation summoning a general Congress of Venezuela; and then proceeded to Barcelona, which was in the hands of the patriots, and organized a provisional government, with the eminent patriot, Don Francisco Antonio Zea, as president of the council of state and intendant-general of the army. Bolivar had now made sure his foothold on the continent, and was prepared to recommence the war in earnest. Without entering minutely into the multitude of engagements which ensued, we merely indicate the general plan of operations, which led to such great results, and the more decisive and remarkable incidents which signalized the desperate struggle. In the beginning of 1817, Bolivar received reinforcements from the interior of Cumaná, and fixed upon the banks of the Orinoco as the immediate theatre of his efforts. Morillo had been justly alarmed by the first tidings of his early successes, and despatched a large force from New Granada to meet him; and was now in full march from Bogotá himself, with additional troops, to assume the direction of the war in person. He was encountered and severely handled, in his progress through the Llanos, by Paez, who, at the head of his hardy horsemen, was fighting his way to eminence. Meanwhile a division of the Spanish army under La Torre, having been defeated by general Piar, no obstruction remained to interfere with Bolivar's designs upon Angostura, which surrendered to the patriots, July 3, 1817; and Paez being equally successful in Apure, they now held possession of the whole extent of the plains from Guyana to Caracas. At Angostura, then, Bolivar established the seat of government for the time being, and spent the residue of the year 1817 in active exertions to organize a force to act against Morillo. An abundant supply of arms, received from England, was distributed in the interior, and placed the patriot corps in a condition to take the field in the shape of an army.

Bolivar formed a junction with Paez in January, 1818, and by a rapid movement arrived at Calabozo before Morillo knew that he had quitted Angostura, and after a series of skirmishes obliged the latter to retreat to Valencia, leaving him in possession of the valleys of Aragua. Subsequently to this, Morillo, having assembled the garrisons of La Guayra, Puerto Cabello, and Caracas, attacked Bolivar in his turn. Various indecisive engagements ensued, from time to time, each party being in turn defeated by the other. In one of these conflicts, Morillo was dangerously wounded, and was obliged for a time to quit the army. In another, at Cojedos, that was almost equally disastrous to both parties, the cavalry of Paez was so completely cut up, that he was compelled to retire to the Apure to remount it. In these reiterated engagements, Bolivar, Paez, and Cedeño, on the part of the patriots, and Morillo, Morales, La Torre, and Calzada, among the Spaniards, conducted the war with the determined bravery of men who felt, that the struggle now begun was a final one. At the close of the campaign, the Spaniards held Aragua, and the patriots San Fernando, the latter maintaining their ground in the Llanos and Guayana, while the former continued masters of all New Granada, and the most cultivated province of Venezuela.

Pursuant to the summons of Bolivar, as supreme chief, the second Congress of Venezuela assembled at Angostura, February 15, 1819, and elected Don Francisco Antonio Zea president. On this occasion Bolivar resigned all his authority, civil and military, into the hands of the Congress, and was unanimously reinstated as president of the state. This step was taken by him, not, as many have supposed, from any false modesty, or reluctance to continue in command; but because the authority which he had exercised hitherto, although acknowledged on all hands, from the necessity of the case, was not derived from any regular source; and it was desirable, that his government should possess a legal sanction, which it received from the unanimous vote of the Congress. The speech that he delivered at the installation of this body, is too remarkable, especially in connexion with recent events, to pass unnoticed. It is a long and elaborate exposition of his political principles, accompanied by a plan of government for the republic of Venezuela, and is entitled to careful consideration, as throwing light upon the character of Bolivar, and upon the

opinions which he promulgated, at a later period, in giving a fundamental code to the Bolivians. The doctrine which pervades the whole piece, the position which meets the eye in every page, and which all its arguments and illustrations aim to establish, is the dangerous nature of *liberty*. It cannot be said, that Bolivar has attempted to deceive his countrymen by holding up the idea that he is purely republican in his principles. The anti-republican tenets, which he professes in this address, are not merely confined to the particular case of the incompetency of *the people of Venezuela* to enjoy the blessings of liberty in their full extent. If they were limited in that manner, we might in part admit their justness, although not to the extent for which he contends. But he frankly declares his belief, that, as a general proposition in political science, an aristocracy is preferable to a free republic, and an absolute sovereignty to either. It is not Washington, whose example he cites for the imitation of South America; but men who, in the same situation with the Father of his Country, availed themselves of circumstances to oppress the liberties of their fellow-citizens. Lest our readers should suppose, that we misrepresent the spirit of this singular piece, we take leave to extract a few of its characteristic passages.

After painting, in vivid colors, the tyranny of the Spanish government in relation to the colonies; the consequent debasement of the people, and their total ignorance, as he expresses it, of every principle of political and civil economy; he infers their incapacity for a purely republican government, and particularly for a constitution modelled after that of the United States. Even in this introductory part of the address, where they are less called for, he throws out continually general reflections inimical to freedom, such as that 'It is more difficult to maintain the equilibrium of liberty, than to sustain the weight of tyranny;' that 'The people, more frequently than the government bring on tyranny;' that 'Liberty is a succulent food, but difficult of digestion.' Reasoning of this nature paves the way for stating what he conceives to be indispensable to the welfare of a free people, and that is, an hereditary legislature and a powerful executive. The legislature, to be sure, shall be called senators, not peers; and the executive shall be called a president, not king or emperor; but in other respects it is impossible to see what should entitle his proposed government to be denominated a republic. His exemplar is

the constitution of Great Britain; of which he says; 'A greater degree of liberty cannot be enjoyed in any kind of republic, and *it may indeed claim a higher rank in social order.* I recommend that constitution as the best model to those who aspire to the enjoyment of the rights of man.' In the course of other general remarks, he says; 'Athens enjoyed the most splendid lot under an absolute sovereignty; free elections of magistrates frequently renewed,—mild, wise, and politic laws. Pisistratus, an usurper and a despot, did more good to Athens than her laws; and Pericles, although an usurper likewise, was the most useful citizen. The republic of Thebes existed only during the lives of Pelopidas and Epaminondas; for it is men, and not principles, that form governments.' Not only does he labor with great industry to show the utility of 'a legislative power similar to that of the British Parliament,' but he says, 'However exorbitant the authority of the executive power in Great Britain may appear, it would not perhaps be too great in the republic of Venezuela.' Nay he insists upon bestowing far greater authority upon the chief magistrate of the republic, than that possessed by a constitutional prince. In short, the whole scope of the address is to maintain the utter incompetency of the human race to subsist under a pure representative government, advancing, in so many words, the opinion, that 'Angels, and not men, can alone exist free, peaceable, and happy, in the exercise of sovereign power;'—a strange maxim, surely, for a professed friend of republican institutions.

We enter into this topic thus fully, not by way of seeking occasion to censure Bolivar for entertaining opinions, which he thus openly expressed, under circumstances that persuade us to believe he was honest and sincere in his principles, however much mistaken; but in order to show what those principles have been from the beginning; and how small occasion there is to feel surprise at his professing or acting upon them at the present time. It is impossible, however, to pass them by without lamenting the melancholy picture they present of the prospects of liberty in South America, when an individual, whose influence is so paramount as Bolivar's, is found to be thus warmly attached to monarchical institutions. For the rest, we take occasion to say, that, viewed as a political disquisition upon the question which it discusses, the address does no great credit to his talent as a writer, or his wisdom as a politician. Most of the well educated young men, who are bred to liberal

professions in the United States, could easily compose a better argument on the same side of the question, and still more easily produce a triumphant refutation of it. And it occurs to us as somewhat singular, that so little notice has been taken of this piece by the republicans of South America, in their speculations concerning Bolivar's ideas of government.

Dismissing this subject, we return to the progress of the war, as prosecuted in the eventful year of 1819. The Venezuelan forces were, at the opening of the campaign, concentrated on the banks of the Apure. It was the design of Morillo, if possible, to cut his way to Angostura, and deprive the patriots of the centre of their resources. To this end, having united his forces with those of La Torre, Morales, and Calzada, he crossed the Apure in January, with an army too powerful to be resisted in the field. It was successfully met, however, in another way, by general Paez and his brave *llaneros*, who destroyed Morillo's foraging parties, deprived him of all means of subsistence, and compelled him, by a desultory system of warfare, to abandon his object, and retreat with immense loss to San Carlos. From May until August, the vast plains of the Apure and Casanare are rendered almost impassable by inundations. Knowing that Morillo would not dream of his penetrating through these plains into New Granada, and believing that Paez on the Apure, and generals Mariño, Arismendi, and Bermudez on the coast, would afford ample occupation for the Spaniards in Venezuela, Bolivar, with characteristic boldness, determined to effect a junction with Santander, who was in arms in Casanare, and laying the foundation of that brilliant reputation which he now enjoys. Bolivar encountered incredible difficulties in this march, first in crossing the inundated plains, and afterwards in climbing the mountains; but ere the close of June he had surmounted every obstacle and established his head quarters at Paya. He found everything in New Granada propitious for his enterprise. The talents and intrepidity of Santander had already effected wonders. A multitude of guerilla parties in the interior impatiently awaited Bolivar's approach. Meanwhile the viceroy Samano, hastily collected all the forces at his disposal, and appointed Don José Maria Barreyro, an officer of tried courage and ability, commander in chief. The armies met at Gamarra on the eleventh of July, and at Bargas near Tunja on the twenty-fifth, and each time Bolivar obtained the advantage. After

this, numerous recruits flocked to his standard; and learning that Samano was on the march to support Barreyro, he threw himself between them, and, on the seventh of August, by this daring and masterly movement, compelled Barreyro to give battle at the bridge of Bojaca, the scene of one of Bolivar's most splendid victories. All the Spanish troops that survived the battle were made prisoners, with the commanding general; and the deliverance of Santa Fe and all New Granada was the immediate consequence of the glorious day. Bolivar appointed general Santander vice-president of New Granada, in reward of his meritorious services, while generals Anzuategui, Soublette, and others, pursued the scattered remnants of the royalists yet remaining in some of the provinces. Morillo despatched general La Torre into New Granada, by the way of Merida, upon receiving intelligence of Bolivar's march; but ere La Torre could reach Cúcuta, the decisive battle was fought, and New Granada once more was free.

Bolivar's entry into Angostura, after this campaign, was among the most triumphant scenes of his life. He wisely employed the authority and influence he possessed in procuring the union of Venezuela and New Granada, and the formation of the republic of Colombia. The decree to this effect, entitled the fundamental law of the republic of Colombia, was passed December 17, 1819, by the Congress of Venezuela, to which the people of New Granada voluntarily submitted. At the same time it conferred upon Bolivar the title of *Liberator* of Colombia, by which he is now universally known, and decided, that a general constituent Congress should assemble at Rosario de Cúcuta, in January, 1821, to frame a constitution for the new republic.

In consequence of the successful operations of the last year, Bolivar was enabled to take the field in 1820, with the most powerful army which the patriots had ever mustered; and hopes began to be entertained, that the conclusion of a peace might be facilitated by the Spanish revolution of Isla de Leon. Negotiations having a view to this end were in fact commenced, and proceeded so far as to occasion a mutual relaxation of effort, and the conclusion of an armistice of six months, dating from November, 1820. On occasion of this armistice, Morillo and Bolivar had a friendly meeting at Truxillo. Each testified the highest respect for the character of the other, spending the day in common festivity; and, as

evincing the confidence they reciprocally reposed in each other's honor, it is stated that they passed the night in the same room. Nothing effectual grew out of these circumstances. Morillo departed for Europe in 1821, leaving the command of the army to general La Torre, an officer fully competent to the task. At the termination of the period fixed for the armistice, Bolivar again took the field with a powerful army, and a determination to pursue measures to bring on a decisive engagement. He divided his army into three corps, under generals Paez, Cedeño, and Anzuategui. These divisions advanced by separate routes to the plains of Tinaquillo, and prepared to attack the Spaniards, who occupied a strong position at Carabobo. The heights, commanding the only pass by which their position could be approached, were crowned with artillery, and in their advance, the patriot army had to penetrate through a narrow, precipitous defile in the mountains. The leading division, commanded by Paez, without waiting for the other division to come up, advanced impetuously, defiled before the enemy, rushed to the assault, carried the intrenchments, and achieved a complete victory, June 24, 1821. The independence of Venezuela was the happy consequence of the battle of Carabobo. Bolivar immediately entered Caracas and La Guayra in triumph; and although Puerto Cabello, and a few other fortresses on the coast, held out awhile, the Spaniards never again made head against the patriots in Venezuela.

During the progress of these advantages in the field, the general Congress had assembled at Cúcuta, and agreed upon a form of constitution, that was proclaimed, August 30, 1821, as the fundamental law of Colombia. When it went into operation, Bolivar was elected President, and Santander, who, in the government of New Granada, had acquired great credit for his civil capacity, was elected Vice-President. In October the seat of government was transferred to Bogotá, as being central in its position, and uniting other advantages of climate, resources, and social comforts, with convenient buildings for the use of the government and of the public functionaries. These arrangements being completed, Bolivar devolved the duties of the executive upon general Santander, in order to devote himself to the prosecution of the war in the presidency of Quito, where the Spaniards had concentrated their forces subsequently to the fatal rout of Bojaca. Having collected the requisite forces, the Liberator marched to the

south, and directed his efforts against the province of Pasto. This region is almost impregnably fortified by nature; and its hardy inhabitants are celebrated for their bravery, but not less for the obstinacy with which they cling to preconceived opinions. The *Pastusos* continued to adhere, voluntarily and perseveringly, to the old *régime*, when all the rest of Colombia had abandoned it. Bolivar's troops suffered severely in attempting to reduce this district, while general Sucre was liberating the provinces of Loja and Cuenca. Meantime Sucre, an officer who first became distinguished under Piar, and afterwards attained high reputation in the staff of Bolivar's army, gained the great battle of Pichincha, May 24, 1822, and completed the liberation of Quito; a victory so important as to fix the public attention upon the commanding general, and create those anticipations of his future eminence, which the sequel so amply justified. Bolivar, having sufficiently repressed the *Pastusos* to remove all apprehensions from that quarter, entered Quito, June 16, 1822, and proceeded to Guayaquil, which claimed to be an independent state, but which, contrary, it is alleged, to the wishes of the inhabitants, he incorporated into the republic of Colombia.

Animated by the brilliant result of this campaign, which had completed the overthrow of the Spanish power in the southern provinces of Colombia, and left nothing to fear in that republic from the common enemy, Bolivar now began to turn his thoughts toward the neighboring government of Peru, torn by conflicting factions, and still the seat of obstinate warfare. A division of the Colombian army of two thousand men, unoccupied at home, was despatched to Callao, and public expectation looked to the Liberator of Venezuela and New Granada to perform the like service for Peru. In fact, soon after Bolivar's arrival in the south, the Protector, San Martin, repaired thither for the purpose of having an interview with his brother in arms. They met at Guayaquil, July 26, 1822. The particulars of the interview have not transpired, or at least have not come within our knowledge; but General Miller intimates, that it was not wholly satisfactory to San Martin, who left Guayaquil in forty-eight hours after his arrival. One of its consequences, however, was the sending the auxiliary force of two thousand Colombians, under general Juan Paz del Castillo, to Lima. This happened previous to San Martin's resignation of the protectorate; and the *junta gubernativa* which succeeded,

disagreeing with general Castillo respecting the conditions on which his division should serve, caused them to be transported back again into Guayaquil without calling them into the field. In order, therefore, to have a right understanding of the nature of the services rendered by Bolivar to Peru, and of the occasion which called for them, it is necessary to explain the situation of affairs in that country at this period.

San Martin, having achieved the independence of Chile, by the successive victories of Chacabuco in 1807, and of Maypu in 1818, was induced, by a conviction that no part of America, bordering on the Pacific ocean, could be secure of its liberty so long as the Spaniards retained possession of Lima, to organize an expedition in Chile for the invasion of Peru. After various military operations, he gained possession of Lima, July 9, 1821; and although La Serna, the viceroy, still maintained his ground in the interior, the independence of the country was proclaimed with great pomp on the twenty-eighth, and on the third of August San Martin assumed the title of Protector of Peru, with supreme authority in civil and military affairs. Still the war continued. The battle of Peruvian independence was not yet fought. The republic possessed only a nominal freedom, and met with no small difficulty in defending the name of independence. San Martin continued to administer the government, and to prosecute the war, until September 20, 1822, when the Congress assembled, and he resigned his authority, and bade farewell to Peru.

The control of public affairs now passed into the hands of a *junta gubernativa*, with general La Mar for president, which, by reason of their apathy and indecision, gave so little satisfaction to the chiefs and officers of the army, that they insisted upon its dissolution, recommending to the Congress to elect Colonel José de la Riva-Aguero, President of the republic. Whatever reluctance the Congress may have felt in adopting this suggestion, a recommendation, so backed, was not to be slighted; and accordingly on the twenty-seventh of February, 1823, Riva-Aguero became President. This revolution was mainly effected by General Santa Cruz, the particular friend of Riva-Aguero. The new government displayed great activity in making preparations for the approaching campaign. Santa Cruz, with the main body of the Peruvians, undertook an expedition to the southern provinces, thinking to strike a blow where it was least anticipated, and thus to strike the more

surely. For a while his success answered his expectations, and he advanced in triumph as far as La Paz, with the most flattering prospects of final good fortune. Riva-Aguero, meantime, conscious of the inadequacy of his own forces to bring the contest to a speedy conclusion, and feeling how injudicious it was in the junta to send home the auxiliary Colombian division under general Castillo, earnestly solicited Bolivar to supply an auxiliary army of sufficient strength to secure the immediate independence of Peru. As an earnest of more effectual succor, three thousand troops immediately embarked at Guayaquil, and Sucre, now rapidly rising to eminence, repaired to Lima as diplomatic agent of Colombia ; a convention for the supply of the auxiliaries on the part of Colombia, and their support by Peru, having been concluded at Guayaquil, March 18, 1823, in a manner satisfactory to both parties. Unfortunately, the departure of Santa Cruz left Lima undefended, and the royalist general, Canterac, took advantage of the circumstance to march upon the capital, which he entered June 18, 1823, and thus threw the affairs of the patriots into most pitiable confusion. Sucre was appointed commander in chief of the forces, consisting chiefly of the Colombian troops, which he posted for security under the protection of the batteries of Callao, whither Riva-Aguero and the members of the Congress also retired. The Congress forthwith appointed Sucre supreme military chief, and divesting Riva-Aguero of his authority, compelled him to withdraw to Truxillo. Sucre being thus left in undisturbed command, resolved to despatch an expedition to the south, to coöperate with Santa Cruz ; and in order to place himself at its head, caused the Marquess of Torre Tagle to be chosen President. The capital was now in the hands of the patriots once more, Canterac, on finding he could not reduce the castles of Callao, having evacuated Lima, July 17, 1823, and marched for Huancavelica unmolested. But intelligence soon arrived of the total destruction of the army under Santa Cruz in Upper Peru ; and that party dissensions might come in aid of other public disasters, Riva-Aguero no sooner reached Truxillo, than he reassembled a portion of the members of the Congress who had followed him from Callao, called in question the validity of his deposition, and raised and equipped a body of three thousand recruits to maintain the war and his own pretensions. Peru was fast relapsing to the last degree of distraction and political abasement. At this pressing emergen-

cy it was, that Bolivar opportunely threw himself, his talents, fame, and influence, and all the disposable military resources under his command, into the cause of Peruvian independence, having obtained permission from the Congress of Colombia to quit the territory of the republic for that purpose, and leaving Santander to administer the executive authority in his stead.

Bolivar made his public entry into Lima, September 1, 1823. He was received with the strongest marks of enthusiasm, and invested with the authority of Dictator, which was needful enough, it must be admitted, in a country governed already by two Presidents, each at the head of a hostile army. In November, 1823, he marched to Pativilca, where he took a strong position, and devoted himself unceasingly to the task of organizing an army of adequate force to enable him to undertake offensive operations. Riva-Aguero being arrested by Colonel La Fuente, one of his own officers, and compelled to embark for Europe, everything might have proceeded prosperously but for the revolt of the garrison of Callao, which, owing to the folly of the Congress in withholding their arrears of pay, mutinied in February, 1823, and surrendered up the castles to the command of the royalist general Monet. This event was soon followed by the defection of Torre Tagle, San Donas, Portocarrero, and some others, fickle and interested men, who, despairing perhaps of the patriot cause, passed over to the Spaniards. Their loss was an eventual gain. The republican party was now thoroughly weeded of its lukewarm and doubtful adherents. Bolivar, invested with unlimited authority, freed from all apprehensions of insincerity in those about him, and supported by six thousand veteran Colombian troops of tried courage and unshaken fidelity, was enabled to exert all the powers of a military dictatorship with a degree of revolutionary energy demanded by the character of the times. But indications are not wanting, that many discerning persons in Peru were jealous of the intentions of Bolivar, and of the views of Colombia. It is probable they did not fear so much the personal ambition of Bolivar, as the disposition to territorial aggrandisement, which all the South American republics have more or less displayed. In reference to these fears, he made the celebrated declaration, contained in a proclamation, dated Truxillo, March 11, 1824, so often referred to in Peru; 'Your chiefs, your internal enemies, have calumniated Colombia, her brave men, and myself, saying, that we

aim to usurp your rights, your territory, and your independence. I declare to you, in the name of Colombia, and by the sacred liberating army, that my authority shall not extend beyond the period necessary to prepare you for victory; that on the departure of the army from the provinces which it now occupies, you shall be governed constitutionally by your own laws and your own magistrates. Peruvians, the field of battle shall attest the valor of our soldiers and the triumph of your liberty; the same fortunate field shall see me throw down the palm of the dictatorship, and from thence will I return to Colombia with my brothers in arms, *without taking away a grain of sand from Peru*, and leaving to you liberty.' We may presume that Bolivar sincerely felt what he expressed at this time; since views of ambition, like the occasions which foster it, gradually arise out of the progress of circumstances. But the suspicions of a few did not retard his military arrangements; on the contrary, the charm, the *prestige*, which enveloped his name like a glory, enabled him to urge forward the preparations for that splendid campaign of 1824, which finally established the independence of South America.

At the commencement of the campaign, the royalist army consisted of nine thousand men under Canterac, in the valley of Xauxa, and five thousand under Valdez in Upper Peru. Olañeta also, in Upper Peru, commanded another body of five thousand men, but had withdrawn his obedience from the viceroy La Serna, on the ground that the latter was a constitutionalist. The liberating army was concentrated at Huaras, preparatory to crossing the Andes, and compelling the enemy to a decisive battle. It consisted of about ten thousand men, forming three divisions of infantry and one of cavalry, commanded by generals Lara, Cordova, La Mar, and Necochea, with General Sucre as chief of the staff. Everything being done, which the military skill of the best generals in South America could devise, to facilitate the passage of the army to Pasco, and, when arrived there, to carry on the war in earnest, Bolivar reviewed his forces, August 2, 1824, on the elevated table land between Rancas and Pasco, in the midst of the towering peaks of the Andes, and on the margin of the lake of Reyes, the principal source of the Amazon. It is impossible for language to do justice to the enthusiastic excitement felt by the troops on this occasion. The scene, presenting one of the most magnificent prospects in the world,—the moment, when

a noble army was about to take the field to complete the political deliverance of a continent,—the troops themselves, assembled from the extreme parts of South America for this lofty enterprise,—and their leader, the conqueror in a hundred combats, who had borne the standard of liberty in triumph from Caracas to Guayaquil,—all conspired to constitute such a conjuncture, as happens but once in an age, and serves to form a fresh starting-point for the memory of successive generations. In surmounting the terrible defiles of the Cordilleras, the troops had sufficiently evinced their own spirit of determination. Confident of their courage and zeal, the Liberator caused an energetic address to be read to each corps of the army at the same moment, adapted to their peculiar circumstances, and conceived in that felicity of manner, which, combined with a certain orientalism of expression, distinguishes his occasional productions. However vicious in taste it may appear, when read in the closet, and by persons of less ardent temperament, it was exactly suited to the men and the season, and was received with cheers of enthusiasm by the assembled host.

Only three days elapsed before the liberating army had an opportunity of manifesting its courage. On the sixth of August, on ascending a height, they suddenly obtained a view of the hostile columns, marching along as it were beneath them, a few miles off, on the plains of Junin. Anxious lest the royalists should escape, the patriot cavalry dashed forward, and encountered the cavalry of Canterac, whose army was in full retreat. It was exclusively a cavalry action, fought with lance and sabre, not a shot being fired on either side. The impetuosity and superior discipline of the patriots proved irresistible; and after a short engagement the Spaniards were put to flight, and hotly pursued to the very bayonets of their infantry. Canterac hastily continued his retreat, followed up by Bolivar, who entered Guamanga on the twenty-fourth of August, and in September advanced as far as Abancay. As the rainy season would soon commence, and Bolivar did not suppose the enemy would immediately resume the offensive, he quitted the army in October, and repaired to Lima, to attend to affairs there, leaving Sucre to exercise the chief command in his absence. Contrary to expectation, however, La Serna now concentrated his forces, and advanced in his turn upon the patriots, with a design to cut off their communications with Lima,

and then destroy them by safe and bloodless means. But the impatience of his troops, weary of endless marches and countermarches among the horrid passes of the mountains, compelled him to relinquish his plan, and to give the patriots, what they ardently longed to obtain, an opportunity of concluding the conquest by an appeal to the sword. The battle of Ayacucho, December 9, 1824, pronounced by competent judges the most brilliant ever fought in South America, and certainly the most fatal to Spain, was the consequence, and decided the destinies of Peru for ever. La Serna being wounded and made prisoner, Canterac capitulated, the same day, for himself and all the Spanish forces in Peru; and nothing more would have remained for the liberating army to do, had not Olañeta in Upper Peru, and Rodil in the castles of Callao, refused to abide by the capitulation.

Bolivar was at this time residing at Chancay, in the vicinity of Lima, and of course did not participate in the toils of the glorious day of Ayacucho. The immediate honor of the victory, therefore, belongs to Sucre and his associates in command. Sucre lost no time in following up his advantage, and rapidly advanced upon Cuzco, and thence to Chuquisaca, the capital of Upper Peru, in pursuit of Olañeta. But this general having been mortally wounded in an affray with some of his own troops, Callao alone continued in the hands of the royalists. Bolivar immediately assembled adequate forces, and closely invested Callao, by sea and land; but found in Rodil a soldier as persevering and resolute as himself. The Liberator personally superintended the siege for several months, and pressed it with untiring energy; but finding Rodil to be well supplied with stores and resolved to hold out to the last extremity, he finally committed the command of the land forces to General Salom, to whom Rodil surrendered upon honorable terms, January 19, 1826, after maintaining the castles, with heroic constancy, for the space of thirteen months, in spite of every conceivable difficulty. This event terminated the war, and left the liberating army in peaceful possession of the whole of Peru. Whatever else remains to relate of the proceedings of Bolivar in Peru, is of a political nature altogether, and opens new views of his character, and introduces a new chapter in the history of his life.

Bolivar reassembled the deputies of the Congress of Lower Peru, February 10, 1825, and in his message to that body re-

signed the dictatorship, adding, 'I felicitate Peru on her being delivered from whatever is most dreadful on earth; from war by the victory of Ayacucho, and from despotism by my resignation. Proscribe for ever, I entreat you, this tremendous authority, which was the sepulchre of Rome.' On the same occasion he also said; 'My continuance in this republic is an absurd and monstrous phenomenon; it is the opprobrium of Peru;' with other expressions equally strong; while at the same time, at the pressing solicitation of the Congress, he consented, notwithstanding his many declarations of reluctance, to remain at the head of the republic. Nothing could exceed the blind submissiveness of this Congress to Bolivar. After investing him with dictatorial authority for another year, they voted him a grant of a million of dollars, which he twice refused, with a disinterestedness that does him the greatest honor. To accept of treasure, as a recompense for his exertions in achieving their independence, he said, would be unworthy of the spirit in which he had consecrated himself to the cause. Liberality of feeling, and entire freedom from rapacity of spirit, must be admitted as prominent traits in his character. After continuing in session about a month, the Congress came to a resolution, that, as they had granted absolute and unconditional power to Bolivar, in regard to all subjects, whether legislative or executive, it was unnecessary, and incompatible with his authority, that they should continue to exercise their functions; and they accordingly separated.

Bolivar, being left without check or control in the government, after issuing a decree for installing a new Congress at Lima the ensuing year, departed from Lima in April, for the purpose of visiting the interior provinces of Upper and Lower Peru. He commenced his journey April 10, 1825, and proceeded through Arequipa, Cuzco, La Paz, and Potosí, to Chuquisaca, and remained in Upper Peru, until the close of the year. The whole tour, according to Miller, was one continued *ovation*. On his approach to the various capitals of departments, the public authorities, accompanied by a great part of the population, went out to meet him, and received him with every species of pomp and rejoicings, which the ingenuity of enthusiasm and gratitude could desire. Circumstances attended his reception at Potosí in October, of a nature peculiarly grateful to his feelings. Bull-fights, dinners, balls, illuminations, fire-works, and all the ordinary signs of public

festivity, continued during the whole time he remained in this city, as in other places on his route; in addition to which, a few days after his entrance, a deputation, consisting of Don Carlos Alvear and Dr Dias Velez, arrived from Buenos Ayres to congratulate the Liberator upon his successes, in the name of the provinces of the Rio de la Plata. On the twenty-sixth he ascended the far-famed Cerro of Potosí, accompanied by General Sucre, and all the persons of distinction in the city, and partook of a collation given upon the summit of the Cerro. On this occasion it was, that he observed, preparatory to giving a toast, that 'The immense riches, buried in the Andes, then beneath his feet, vanished into nothing, when compared with the glory of having borne the standard of liberty from the sultry margin of the Orinoco, to fix it upon the frigid peak of that mountain, whose riches had been the astonishment and envy of the world.' There is reason to believe, that the flattering reception, with which he was greeted on this tour, largely contributed to foster those views of ambition respecting Peru, which he betrayed in the sequel. Certain it is, at least, that the extravagant gratitude of the inhabitants of Peru, gave him occasion to assume the task of a legislator, and thus to bring his political principles more directly before the world.

When the victory of Ayacucho left the provinces of Upper Peru free to act, the great question presented to their consideration was, whether Upper Peru should be united to Lower Peru, or reannexed to Buenos Ayres, or constitute an independent state. Under the auspices of the Liberator and of Sucre, a general assembly was convened at Chuquisaco in August, 1825, which declared the will of the people to be, that Upper Peru should become a separate republic, and decreed, that it should be called Bolivia in honor of the Liberator. Here their functions should properly have ceased, with the fulfilment of the object for which they met. Regardless, however, of the limited extent of their powers, they proceeded to exercise the authority of a general Congress. They conferred the supreme executive powers on Bolivar, so long as he should reside within the territory of the republic. Sucre was made captain-general of the army, with the title of Grand Marshal of Ayacucho, and his name was bestowed upon the capital. Medals, statues, and pictures were bountifully and profusely decreed, in honor of both Sucre and Bolivar. To the latter was voted a million of dollars, as an acknowledgment of his pre-

eminent services to the country. With the same characteristic magnanimity, which he displayed on a like occasion in Lower Peru, he refused to accept the grant for his own benefit, but desired, that it might be appropriated to purchasing the emancipation of about a thousand negroes held in servitude in Bolivia. Finally, they solicited Bolivar to prepare for the new republic a fundamental code, that should perpetuate his political principles in the very frame and constitution of the state. Captivated by the idea of creating a nation, from its very foundation, Bolivar consented to undertake the task, if, indeed, which has been confidently asserted to be the case, he did not himself procure the request to be made.

The Liberator left Chuquisaca in January, 1826, and returned to Lima, to assist at the installation of the Congress summoned to meet there in February. He transmitted the form of a constitution for Bolivia from Lima, accompanied with an address, bearing date May 25, 1826. Of this extraordinary instrument, we feel at a loss to decide in what terms to speak. Bolivar has again and again declared, that it contains his confession of political faith. He gave all the powers of his mind to its preparation; he proclaimed it as the well-weighed result of his anxious meditations. Whatever his political views may have been, whether honest and true to his own country, and to others which reposed such boundless confidence in his integrity, or the reverse,—in either case, he must have been equally solicitous, that the code should be creditable to his understanding, and a plausible, if not a perfect instrument. If in good faith he labored to consult the welfare of the Bolivians, in preparing for them a constitution, then certainly he would spare no exertion to render it in the last degree perfect. If he wrote and sent it abroad merely as part of a machinery by the help of which to attain and preserve usurped authority, then also it would be his object to give it the show of good sense, if it did not possess the substance; for why should he embark his plans of ambition in a venture so sure to make shipwreck of all his hopes? We profess that these considerations embarrass our judgment; because, in our apprehension, the most remarkable quality in this code is its unqualified, supreme absurdity.

This constitution proposes a consolidated or central, not a federal, form of government; and thus far it is unobjectionable. Every ten citizens are to name an elector, whose tenure of

office is four years. The legislative power is to be vested in three branches, called tribunes, senators, and censors. Tribunes are to be elected for four years, senators for eight, and censors for life. So complicated is the arrangement proposed for the enactment of laws by means of this novel legislature, and so arbitrary and unnatural the distribution of powers among the several branches, that it would be impracticable for any people, having just notions of legislative proceedings, to conduct public business in the projected mode; and much more impracticable for men, like the South Americans, not at all familiar with the business of orderly legislation. But the most odious feature in the constitution relates to the nature and appointment of the executive authority. It is placed in the hands of a president, elected in the first instance by the legislative body, holding his office for life, without responsibility for the acts of his administration, and having the appointment of his successor. The whole patronage of the state, every appointment of any importance, from the vice-president and secretaries of state down to the officers of the revenue, belongs to him; in him is placed the absolute control of all the military force of the nation, it being at the same time specially provided, that a permanent armed force shall be constantly maintained. For the mighty power, the irresistible influence, which this plan imparts to the executive, the only corresponding security, assured to the people, is the inviolability of persons and property.

The constituent Congress of Bolivia assembled at Chuquisaca, May 25, 1826, and passively adopted the proposed constitution to the letter, as if it had been a charter granted by a sovereign prince to his subjects, instead of a plan of government submitted to a deliberative assembly for their consideration. It took effect accordingly, as the constitution of Bolivia, and was sworn to by the people; and General Sucre was elected president for life under it, although one of its provisions expressly required, that the president should be a native of Bolivia.

Emboldened by the complete success of this introductory essay in the character of a maker of constitutions and founder of states, Bolivar now suffered his ulterior objects to meet the public eye. When the time approached for the Peruvian Congress to assemble, several of the deputies arrived in Lima in anticipation of the day. They ventured to express their

opinion, with some degree of freedom, upon the propriety of withdrawing the Colombian troops from the territory of Peru, the surrender of Callao having removed all pretext for retaining them any longer, unless their presence was required to oppress the country. They referred emphatically to the declaration of Bolivar, that the moment he had achieved the independence of Peru, he would return to Colombia with the liberating army, without taking away so much as a grain of sand. They recollected his despatch to Vice-president Santander, announcing the victory of Ayacucho, and written directly after that event, wherein he says; 'I have fulfilled my mission; and it is now time to comply with my promise, so often made to my country, to continue no longer in a public career, when America shall have been freed of her enemies.' They pondered his own declaration, of the year before, that his continuance in Peru was a monstrous phenomenon, and the opprobrium of the republic. Bolivar was alarmed by these indications of the temper of the Congress. He required the deputies to submit their qualifications *(poderes)* to the supreme court for examination. They contended, that they themselves constituted the only proper tribunal for such a scrutiny. Hereupon Bolivar threatened, that he would abandon Peru to her fate, if the point was not conceded, and the compliant deputies yielded up everything to the will of the Dictator.

Of the seventy deputies assembled, and necessary to constitute a quorum, it was found that eighteen had received full authority to deliberate on public affairs, when the decree convoking them referred only to certain specified subjects. Hence they were declared to be not duly elected. The fifty-two who remained, instead of meeting as a Congress, and taking measures to compel the attendance of the absent members, were at length prevailed upon, by various means of intimidation or persuasion, to subscribe a declaration, setting forth the advantages of a strong arm to maintain the tranquillity of the state and security of private persons and property, the inconveniences of a deliberative assembly, and the folly of maintaining a Congress, when the government was so ably administered by the favorite of fortune, and the chosen of Providence. These weighty reasons induced them to suspend the meeting of the Congress for another year, continuing the authority of Bolivar as Dictator, but recommending to him to consult the provinces as to the form of a constitution for the

republic, and to procure from them a nomination of a suitable person to be constitutionally invested with the supreme authority.

Bolivar received this act in the most gracious manner. Indeed, it bears evident marks of having been written at the dictation of some of his creatures, and merely presented to the deputies for their signatures. He thereupon issued a kind of decree, deciding that the electoral colleges should be consulted as to the two points designated by the deputies, namely, the form of the constitution and the person of the chief magistrate. The whole course of his policy was now apparent. Unwilling to hazard the proposing of his plans to a constituent Congress, in the usual way, because aware that it must contain men of sufficient discernment to perceive, and independence to resist, his purpose, he preferred to make use of the electoral colleges as instruments to give an outward show of popular sanction to his will. The electoral colleges, being scattered bodies, could the more easily be intimidated into adopting whatever he should dictate. The execution of this purpose was committed to his council of ministers. Circular letters, written in the name of Bolivar and the council, of which General Santa Cruz was at the time president, were transmitted to the several prefects of departments, commanding them to assemble the colleges, and submit to them for ratification the form of a constitution, a copy of which accompanied each circular, and was nothing but the Bolivian Code, so modified in phraseology as to be applicable to Peru. The circular is dated July 1, 1826, and contains a recommendation of the code, which, backed by the authority of the prefects, the irresistible power of the Colombian troops, and the weight of Bolivar's name, could not fail to effect, as we shall see it did, the end desired.

Still it was not accomplished, without some manifestations of power on the part of Bolivar, accompanied by acts of a very questionable tendency. Disturbances broke out in the interior, which afforded a pretext for marching the Peruvian troops out of Callao, and replacing them with Colombians. This measure was alleged to be necessary to maintain the public tranquillity; but in fact there was nothing to interrupt the public tranquillity, but the monstrous expense entailed upon the people by the very fact of the presence of the Colombians, who continued to occupy Peru without any assigned cause, and as if it were a conquered country. Connected with the same circumstances,

was the extraordinary measure of transporting a body of Peruvian troops to Panamá, seemingly in order to destroy the natural defenders of their country in that noxious region, and cantoning, at the same time, Colombians in various villages in Peru. About the same period, a conspiracy was discovered, or at least alleged, having for its object the assassination of Bolivar and the expulsion of the Colombians. Although many utterly deny its existence, and others maintain that it was the obscure plot of a few subalterns of the army, the strongest measures were adopted to meet the exigency. A special tribunal investigated the affair, and put on trial the accused or the suspected. A Peruvian lieutenant, named Aristizabal, was found guilty and shot. A guerilla chief, named Vinavilca, and several others, who escaped by flight, were condemned to be strangled; and others were condemned to be cashiered and banished. Admiral Guise was tried, but acquitted. Many Buenos-Ayreans and Chilenos of distinction, resident in Peru, were compelled to quit the country, and among them Generals Necochea and Correa, Colonels Estomba and Raulet, and others equally well known for their unquestionable love of liberty. No specific charge existed against these men. But the Liberator was aware they saw through the slight disguise that veiled his plans. While the fantastic speculator, De Pradt, was exalting Bolivar to a rank in the scale of patriotism above the peerless Washington,—while misguided Americans supposed at least, that Washington was his model,—it was not for the memorials from Arlington-House, transmitted to him with such kindly and respectful feelings, that he preserved his veneration; but portraits and busts of Napoleon were the chosen ornaments in his palace of La Magdalena. It was necessary to remove out of the way men too quick-sighted not to see, and too independent to approve, his ambitious views.

These events produced the greatest uneasiness among persons of property, and all others who had anything to lose by a disturbance of the public tranquillity; and their anxiety was augmented by a second announcement of Bolivar's determination to leave Peru. The timorous and the rich, who dreaded the return of the days of anarchy, were prompted by the friends of Bolivar and the advocates of a strong government, to employ all their influence to prevent his departure, from which they foreboded the most disastrous effects. Representations of the members of the municipality, deputations from

every section of Lima, processions of the people, petitions from all classes, addresses from the army and clergy, supplications from the peasantry of the adjacent villages, and even from the matrons of the capital,—all crowded in quick succession upon the Liberator, and all insisted that he should remain in Peru. He was told that if he would leave the country he must trample on the breasts of the people, of whose lives he had been the preserver; who would form an impenetrable wall to prevent his departure. Overpowered at last, or professing to be overpowered by these demonstrations of gratitude and affection, the Liberator could no longer refuse himself to the claims of the Peruvians, and consented to delay his return to Colombia.

The object of this whole machinery was soon apparent. A tacit compact seemed to have been formed between Bolivar, and the Peruvians who acted in this precious mummery, as to the end of its enactment. It was to create an impression, that he was necessary to the Peruvians, and thus facilitate the adoption of the *Código Boliviano*, that all this fulsome adulation on the part of the people, and all this coquetry on the part of Bolivar, were elaborately displayed; and they produced the desired effect. It was false, hollow-hearted, and fictitious, as the event showed; not a natural expression of sincere feelings, nor a spontaneous exhibition of genuine attachment.

Everything was now arranged for the people to do, and the electors of Lima proceeded, on the very next day, August 16, 1826, to perform their part in the appointed comedy. Various statements are made of the means used to procure the colleges to adopt the proposed code, and Bolivar himself as president for life; all which it is unnecessary to examine, because it is perfectly clear, from everything which relates to the business, that Bolivar and his constitution were forced upon the people by the authority of his own government. Did we not know this from a careful examination of the whole history of the proceedings, we might safely infer it from the circumstance, that, of the fifty-nine electoral colleges, only one, that of the little province of Tarapaca, demurred to the constitution, or to the proposed president. Such perfect unanimity could never result from the self-moving deliberations of a free people, disposing of their own rights according to their own will. The electoral colleges blindly and passively obeyed the commands of their dictator, and of course the Bolivian Code was declared

to be the fundamental law of Peru, and Bolivar president for life. Three months elapsed, however, before the official returns were all received; and it was not until November 30, 1826, that the new constitution and new president were proclaimed; nor until the ninth of December, the anniversary of the victory of Ayacucho, that the usual oaths of fidelity were administered to the public functionaries. Notwithstanding the evident symptoms of disgust betrayed by the majority of the people, the constitution was peaceably promulgated and sworn to in Lima and the provinces; and on the surface everything told well for the change.

Bolivar, long ere this time, had returned to Colombia, and shifted the scene of his operations. Before entering upon the events which preceded and followed his return, we advert, for a moment, to a project of Bolivar's, which, when originally proposed, was hailed as a splendid design, replete with noble properties, and pregnant with the most admirable consequences. We allude to the Congress of Panamá. The proposition for assembling this body emanated from Bolivar, who, in 1823, as president of Colombia, invited the governments of Mexico, Peru, Chile, and Buenos Ayres, to form a confederacy of the Spanish American states, by means of plenipotentiaries to be convened, in the spirit of classic analogy, in the isthmus of Panamá. To this invitation the governments of Peru and Mexico promptly acceded. Chile and Buenos Ayres neglected or declined to be represented in the assembly, for the reasons which we shall presently state. This magnificent idea of a second Achæan League seized on the imaginations of many speculative and of some practical men in America and Europe, as destined to create a new era in the political history of the world by originating a purer system of public law, and almost realizing Bernardin de Saint Pierre's league of the modern nations. In its original shape, it was professedly a plan of a belligerent nature, having for its main object to combine the revolutionized states against the common enemy. But time was required for carrying it into effect. Meanwhile the project, magnified by the course of events, began to change its complexion. The United States were invited to participate in the Congress, so as to form an American policy, and a rallying point for American interests, in opposition to those of Europe; and after the discussions which are so familiar to all, the government of the United States accepted the invitation, and des-

patched its representatives to Panamá. Don Bernardo Monteagudo, the notorious minister of San Martin in Peru, wrote a pamphlet, that was published in Lima, in lofty praise of the plan. The prolific Abbé de Pradt produced a still more visionary dissertation upon the subject for the benefit of unenlightened Europe. England, of course, was alive to such a project; and the Netherlands followed the example of Great Britain. In the interval, between the proposal of the plan and its execution, Central America was added to the family of American nations, and agreed to take part in the Congress. At length, after many delays, this modern Amphictyonic Council, consisting of plenipotentiaries from Colombia, Central America, Peru, and Mexico, assembled in the city of Panamá, June 22, 1826, and in a session of three weeks concluded various treaties; one of perpetual union, league, and confederation; others relating to the contingents which the confederates should contribute for the common defence; and another for the annual meeting of the Congress in time of war. Having thus promptly despatched their private affairs, the assembly adjourned to Tacubaya in Mexico, on account of the insalubrious climate of Panamá, before the delegation of the United States had arrived; since when it has justly acquired the epithet of *introuvable*, and probably never will reassemble in its original form.

Is there not a secret history of all this? Why did Chile and Buenos Ayres refuse to participate in the Congress? Why has it now vanished from the face of the earth? The answer given in South America is, that Bolivar proposed the assembly as part of a grand scheme of ambition,—ascribed to him by the republican party, and not without some countenance from his own conduct,—for establishing a military empire to embrace the whole of Spanish America, or at least an empire uniting Colombia and the two Perus. To give the color of plausibility to the projected assembly, the United States were invited to be represesented; and it is said Bolivar did not expect, nor very graciously receive, their acceptance of the invitation. And whatever aid, if any, in his ambitious designs, he may have anticipated from it, he was wholly disappointed in the result. Don Manuel Vidaurre's speech for the opening of the Congress, much as it surprised the world, and greatly as it was ridiculed and denounced in various quarters, served to undeceive Bolivar as to his personal hopes from the assembly, if he

continued to entertain them, and on this very ground was loudly applauded in the journals of Buenos Ayres and Chile. And the disclosures which Vidaurre has made since the adjournment of the Congress, convert into certainty that which was but conjecture before. He states, that a gigantic plan was formed for subdividing America into four states. Mexico and Guatemala were to form one republic, and the United States another, which together would cover the northern continent; while Colombia, Upper and Lower Peru, Chile, and Buenos Ayres, melted into a single empire under the sway of Bolivar, and Brazil under Pedro, disposed in like manner of South America. If Bolivar has ever allowed such wild dreams of Titanian ambition as this to work upon his imagination, it serves to show how liable the judgment is to be warped by flatterers, and unsettled by the vertigo of immoderate power. Happily, the Congress attempted nothing of this kind. In regard to the welfare of Spanish America, it has been wholly without fruit, as judicious men in the South predicted it would be; and we dismiss it, therefore, to revert to the course of our narrative.

Bolivar, having waited at Lima until he was pronounced president of Peru for life by the electors of the capital, and feeling confident, perhaps, that the business could now be safely completed in his absence, prepared to return to Colombia. He invested Don Andres Santa Cruz with the supreme command during his absence, and took leave of Peru, September 3, 1826. His parting proclamation contained the significant words; '*Vuestros bienes y vuestros males serán los mios.* UNA NUESTRA SUERTE.' His return was *professedly* in consequence of the insurrection of Paez in Venezuela, and the distraction it entailed on the republic. Subsequent events have led to a very general belief in South America, that the time and the alleged cause of his departure were part of a design to subvert the constitution of Colombia, and substitute the Bolivian Code in its place. How far this belief is warranted by facts, will appear from the progress of events as we follow them step by step; for some attention to dates is necessary to show the proper construction of what relates to Bolivar personally.

At the commencement of the year 1826, the internal condition of Colombia was apparently prosperous and tranquil. Bolivar had been reëlected president of the republic, and Santander vice-president, to enter upon their new term of service

in 1827. On occasion of this election, Bolivar signified his wish to retire from public life, anxious, he said, to satisfy the world of his abhorrence of supreme power, and to prove that his actions were not governed by ambition; but the electors do not seem to have been sufficiently persuaded of the sincerity of the renunciation to regard it. Santander had ably administered the executive authority, from the very foundation of the government, aided by the most eminent civilians and officers produced by the revolution. Still, under the outward seeming of political calm, there existed elements of confusion, which required only a convenient opportunity to burst forth into open disorder. Neither Venezuela nor Quito had been perfectly satisfied with the constitution adopted at Cúcuta, which merged their ancient provincial importance in the consolidated mass of the republic of Colombia. In Caracas, especially, a strong party existed, who zealously opposed the constitution when presented to them, and protested against it before taking the usual oath in its support. Nor had they ever ceased to urge their preference for the federal system. Similar feelings existed, although to a less extent, in Quito, and especially in Guayaquil, which had been forcibly aggregated to the republic. Yet as the constitution contained a provision for its own amendment, or entire abrogation, if the people so willed it, after an experimental trial of ten years, when a grand convention was to assemble to consider the subject, it is probable, that, if nothing had happened to stimulate the disaffected prematurely, they would have treasured up their opposition until the constitutional period arrived for causing it to be felt and respected.

Such was the state of things, when the city of Caracas, not unwilling, perhaps, to find cause of cavil against the general government, procured the impeachment of General Paez, commandant-general of the department of Venezuela, for certain acts of oppression, of no great consequence, in executing a law for the enlistment of the militia. When the summons for him to resign his authority and attend to take his trial before the senate came to him, Paez was prevailed upon to disobey it; and some of the officers about his person, aided by a few political agitators, induced or compelled the municipality of Valencia, where Paez then was, to pass a resolution reinstating him in the command, of which, by the express provisions of the constitution, and the consequent order of the executive, he was divested. This happened April 30, 1826.

Paez accepted, without hesitation, the authority thus illegally bestowed. When these proceedings were known at Caracas, the municipality hastily confirmed the act of Valencia, anxious, no doubt, by anticipating the wishes of Paez, to atone for the prosecution they had instituted. Paez being thus thrown into open opposition to the government, the disaffected party in Venezuela promptly embraced the occasion to promote their plans of change; and procured the act of Valencia of the eleventh of May, and that of Caracas of the sixteenth of May, appointing Paez independent civil and military chief of Venezuela, and declaring their object to be the alteration of the existing constitution. Paez and his coadjutors all professed their desire to have the change peaceably brought about, and united in appealing to the Liberator as the arbiter of the public differences; and Paez despatched two commissioners to Lima to solicit Bolivar to return to Colombia.

When the intelligence of this insurrectionary movement reached Bogotá, the vice-president wisely abstained from attempting what he could not perform,—the suppression of the disorder by force of arms,—and contented himself with an official defence of his conduct, and other pacific measures, hoping the contagion would not extend beyond the department of Venezuela. But in July the city of Guayaquil passed an act in favor of anticipating the grand convention. Quito and Cuenca followed in the same path, and then Maracaybo, which last expressly declared for the federal system; but neither of these places renounced its allegiance to the general government. These proceedings, of course, weakened the hands of Santander, in the same proportion that they strengthened those of Paez. Municipal acts of the same description were afterwards adopted in the department of Maturin, and in Margarita, Cumaná, Panamá, and other places; although without perfect unanimity in the letter, yet all calling for the anticipation of the convention. Such was the political condition of Colombia in the month of August, at the very time when Bolivar was openly forcing himself and the Bolivian Code upon Peru. Of the twelve departments, which composed the republic, eight were in a state of disorganization more or less complete; the national finances were in disorder, and discord seemed on the brink of stirring up the inhabitants to civil war. Santander continued to urge Bolivar, in the most pressing manner, to come and exert his influence to allay the

public ferment. The people everywhere expressed extreme solicitude for his return. No conceivable cause existed for his remaining in Peru, of a public nature, except the advancement of his own personal power, which began to be openly charged upon him as the inducement of his delay. In fine, the friends of the constitution did not stop short of suspecting him of acting in collusion with Paez, and throwing the public affairs into confusion, that he might be called to restore them, and have the opportunity of doing it in his own way.

Too many facts existed, which gave color to the suspicion. It does not appear, that, in the first instance, he instigated the insurrection; but it does appear, that, in an early stage of it, he had an understanding of some kind with Paez, and his own acts directly served to augment the public disorder. The coincidence of dates, in regard to events in Peru and Colombia, is singular at least, if it have no meaning. In April, Bolivar procures the dissolution of the Peruvian Congress, and the continuance of his dictatorship; and in the same April Paez raises the standard of revolt in Valencia. In May Bolivar publishes the Bolivian Code as his political creed; and in the same May Venezuela demands a reform of the constitution of Colombia. Confidential communications were interchanged, at this period, between Bolivar and Paez; and each, in recorded public acts or writings, signified his perfect reliance in the good faith of the other, in his patriotism, and in the rectitude of his intentions. It was not possible, however, for the constitutional party in Colombia to understand exactly Bolivar's policy, because the public developement of his ambitious projects in Peru, and the insurrection of Paez, *took place contemporaneously.* Of necessity, some time must elapse before the provisions of the Bolivian Code could become generally known in Colombia. And the arrangements for permanently fixing his authority in Peru seem to have been purposely so timed, or at least events happened so to turn out, that he should arrive in Bogotá, and obtain the control of the government, before the people of Colombia could gain any idea of the nature of his operations in Peru, or their final result. Rumors of his probable intention could not fail soon to reach Colombia, and undoubtedly individuals might possess authentic information on the subject; but months must elapse before facts of a decisive character would obtain general circulation in a credible shape.

Still many of the political agitators did not disguise their be-

lief, that Bolivar would, nay, that in order to tranquillize the nation he must, assume dictatorial powers in Colombia. A practice, curious in itself, and which, to the inhabitants of countries accustomed to the functions of self-government, and to men understanding the nature of written constitutions, must of course appear passing strange, has very generally obtained in South America. Early in the revolution, the untaught politicians of the new republics,—and every meagre province called itself a republic,—made a parade of elaborate constitutions, often wholly unfit for their situation and essentially impracticable. When danger came, their legislative bodies suspended, not a mere *habeas corpus* act, as Americans or Englishmen might perhaps do, but the fundamental articles of a whole constitution. They began, it is true, by suspending only some few articles, so as to enlarge the authority of the executive; but when the inviolability that belongs to the constitution was once broken in this manner, it was no easy matter to fix limits to the practice. Cundinamarca set the example of this proceeding in Colombia, so early as 1811, in the case of Nariño, and the lesser states were not slow in adopting so convenient a plan. The next step was, whenever a season of peculiar peril arrived, to suspend a whole constitution in the mass, and elect a dictator in name and in power, to administer the government, in imitation of ancient Rome. In 1812, Pamplona, Popayan, and Cundinamarca, were each governed by a dictator. Other examples abound in South American history. Nay, to such a pitch did the abuse extend in New Granada, that the general Congress was obliged to interfere, in 1814, and prohibit the practice of nominating dictators on every occasion, as opening a door to tyranny and usurpation. But the expedient was adopted so generally, that men became familiarized with the name and the substance of a dictatorship; and constitutions lost that august and venerable character, which they ought to have, to ensure their being religiously observed. Hence, although the constitution of Colombia had now subsisted in full vigor upwards of four years, still the idea of suspending it would not be abhorrent to the habits of thinking in Colombia. Men, who would shrink from the suggestion of submitting to a king, would not be startled at all by the idea of a dictator, exercising for the time being all the arbitrary powers of an oriental despot. We deem these explanations necessary, to show why many began to look to a dictatorship for

relief, and why the ardent friends of the constitution did not instantly take arms against it when openly proposed.

Bolivar himself began to sound the people of Colombia on the subject, as the crisis and consummation of his plans approached. He addressed a letter to Dr Cristóbal Mendoza, intendant of Venezuela, as the organ of communicating his ideas to his countrymen, wherein he says; 'I propose the Bolivian Code, which, with some slight alterations, appears to me suitable to the circumstances of Colombia.' And again; '*I myself* am the rallying point of all who love the national glory and the rights of the people.' To a communication of the city of Guayaquil, transmitting the municipal act before mentioned, Bolivar's secretary officially replied, under date of August 1, 1826, that the Liberator had given 'his confession of political faith' in the constitution presented to Bolivia, and at the same time signified his entire confidence in the political integrity of Paez. These intimations were the prelude to more decided acts. A pamphlet was prepared and published at Lima by Leocadio Guzman, setting forth the praises of the Bolivian Code in the most exalted and extravagant terms, stating and elaborately defending its various provisions. In August, 1826, but a few weeks before Bolivar set out for Bogotá, this very Leocadio Guzman was despatched on a mission along the departments of Colombia bordering on the Pacific, with credentials addressed to the several prefects, requiring each of them to assemble the municipality of his capital, and procure acts declaratory of their wish for the introduction of the Bolivian Code, and appointing Bolivar dictator. He proceeded openly in the execution of his commission, and by persuasion, intimidation, and the influence of Bolivar's name over the military, he procured the adoption of these unconstitutional acts successively in the departments of Guayaquil, Asuay, the Equator, and the Isthmus. These acts were passed at the absolute dictation of Guzman and the officers in command in these places; and in 1827, when the cause of the constitution gained a temporary ascendency, the magistrates made official representations to the general government of the shameful intrigues and violence attending their adoption.

Bolivar landed at Guayaquil but a fortnight after his emissary Guzman, with a small retinue, and proceeded without delay to Bogotá, where he arrived November 13, 1826. His conduct in the capital was too ambiguous, either to allay entirely,

or absolutely to confirm the sinister forebodings of the constitutionalists. He encouraged their hopes by some acts, while he augmented their fears by others. Having assumed the extraordinary powers, which the constitution conferred on the executive in cases of civil commotion, and in virtue of those powers introduced sundry radical changes in the administration for alleged purposes of economy, he hastened onward to Venezuela, where all parties loudly demanded his presence. Previous to this, a person had arrived at Caracas, in November, professing to be a commissioner from the Liberator, at whose instigation, it would seem, the citizens held a public meeting, and on the supposition, that the constitution and the social compact of Colombia existed no longer, resolved that Venezuela should become an independent state as before the union. Bolivar issued a proclamation in Maracaybo, on the nineteenth of December, declaring the departments of Sulia, Orinoco, Venezuela, and Maturin, under his immediate authority. He was received everywhere with entire submission. Paez himself was the most forward to load the Liberator with extravagant marks of personal devotion, and received, for his reward, a continuance in his authority as supreme chief of Venezuela. With Bolivar's decree of amnesty, issued January 1, 1827, the insurrection was really at an end, whatever subsequent acts may have been requisite to complete the work of pacification. The meeting of Paez and Bolivar was that of attached friends, indissolubly united by the bond of reciprocal good services performed or expected, and afforded a melancholy presage of the union of political purpose, which has proved fatal to the constitution of Colombia.

Bolivar continued in Venezuela, chiefly at Caracas, for the space of five months, surrounded by the most ardent members of the reform party, who became his bosom friends and advisers. These persons devoted themselves unremittingly to the task of denouncing the constitutional party, the men, and the departments, that remained faithful to the laws, and especially Santander, as the leading supporter of the constitution. They urged the necessity of adopting the Bolivian Code, of uniting Colombia, Peru, and Bolivia, and of committing all the powers of government to Bolivar as president for life, with a pertinacity of zeal, which, exerted as it was under the very eye of the Liberator, filled the friends of liberty with consternation and sorrow. Bolivar himself, in a communication

to the president of the senate, dated February 6, 1827, renounced the presidency of the republic, in language of the same tenor as that which he had used in Peru. His communication was discussed in the Congress with great warmth; and twenty-four members of that body, breathing a spirit worthy of Roman senators, manfully voted to accept the renunciation, reprobating, in terms worthy of the occasion, the unmeasured ambition of the Liberator. Meanwhile he continued in Caracas, retaining in exercise the extraordinary powers which he had assumed, although, by the terms of the constitution, they ceased at the meeting of the Congress, and although the Congress had passed a decree for the restoration of constitutional order throughout the republic.

Such was the condition of affairs, when intelligence of the extraordinary revolution in Peru, of January 26, 1827, reached Colombia. It appeared that the Bolivian Code was quite as odious to the Colombian army, on whom Bolivar had relied to maintain his power in Peru, as it was to the Peruvians themselves. The army had testified no reluctance in standing by Bolivar thus far, in fixing his authority in a foreign country; but they were alarmed by the proceedings at Guayaquil and Quito, which threatened the liberties of their own country; and seeing that Bolivar countenanced, if he did not instigate, the acts in question, they gradually wrought themselves up to such a height of resentment against the Liberator, that they determined to return to Colombia and forcibly resist his designs. Colonel Bustamante, a young Colombian of merit and talent, placed himself at their head, arrested Generals Lara and Sands, and others of their officers, whom they considered subservient to Bolivar, and invited the Peruvians to organize a government for themselves. The latter cheerfully embraced the offer, abolished the Bolivian Code, which they declared to have been forced upon them by the Liberator, and established a temporary government under General Santa Cruz himself, which gave place at length to regular constitutional authorities, with Don José La Mar as president. Meantime Bustamante and the army embarked at Callao, March 13, 1826, and landed in the southern department of Colombia, full of the most hostile feelings towards Bolivar, and supposing they should find the government totally disorganized by his machinations. They were agreeably surprised to discover, that the constitutional Congress and executive were still obeyed, and on obtaining

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satisfactory assurances of this fact, peaceably received General Obando, who was appointed by the vice-president to quell the mutiny, if persisted in, and to take the command of the mutineers, if they submitted without resistance. There could be no doubt that the Bolivians would follow the example of the neighboring state, in renouncing the objectionable Code, placed as they were between Buenos Ayres and Peru, each extremely hostile to Bolivar; and it was reasonable to consider the defection of one as involving that of the other, as the event proved. Thus crumbled into ruin the labored fabric of Bolivar's towering ambition, reared at such irreparable sacrifice of fame and character, but wanting the necessary foundation of public opinion to support it, without which no government can permanently subsist in communities constituted like the South American republics.

Bolivar was moved by these events from the ominous inactivity, wherein he had persevered so long, and instantly put himself in motion for the south, to assume the presidency, and punish 'the audacity' of the 'new Prætorians,' as he characterized the late Colombian auxiliaries of Peru; and to march, he said, 'against the traitors who, after having trodden under foot their holiest duties, had raised the standard of revolt to invade the most loyal departments' of the republic. Indeed, the whole proclamation, announcing his altered purpose, singularly betrays the conflicting emotions, which the circumstances were calculated to awaken in his bosom. His glorious reputation was tarnished by the attempt at usurpation, without gaining even the inferior lustre of success to compensate him for the loss. He had sold his fame to the tempter, for the acquisition of power, and was cheated of that for which he had paid a price far exceeding all estimation. Even his brave associates in a life of victory had learnt to denounce his name, and he was driven to muster an army to oppose them, his chosen companions in arms. It became necessary for him to dissemble or defer his designs upon Colombia, therefore, and act for a season as her constitutional chief magistrate, until he could arrange measures to recombine the scattered fragments of his arbitrary power. He made his public entry into the capital, September 10, 1827, and took the constitutional oath as president in the forms prescribed by law, signifying his personal desire to abide by the result of the grand convention, which, by the decree of the Congress, was ordered to meet at

Ocaña in the ensuing spring. The submission of the Colombian troops in the south rendered his presence there unnecessary, and of course he entered upon the discharge of the executive duties at the seat of government. But nothing fell from his lips to encourage the republican party to expect anything at his hands; nor did he intimate a disposition to relinquish the purpose, imputed to him and never disclaimed, of forcing the Bolivian Code and the presidency for life upon Colombia.

It is not our intention to continue the account of Bolivar's life through the past year, in which the worst prediction of the constitutionalists have been fearfully realized, in the events consequent upon the dissolution of the convention of Ocaña. Bolivar, at the head of the government, as irresponsible military dictator,—the constitution virtually abolished,—the assault on the government palace by armed men, bent on freeing the republic of her Cæsar in Roman fashion,—Padilla's execution, and the consignment of Santander to the fatal prison-house of Boca-Chica,—hostility between Peru and Colombia, heightened into open war by reciprocal wrongs, and by the personal feelings of Bolivar,—such are the successive incidents, which, in the year that has elapsed, have gathered and darkened around the individual character of the Liberator. They are contemporary history, which requires more extended examination than our space or time will now permit; and here therefore we take leave of the subject. What is to be the result of the present state of things, time will show. We do not apprehend the establishment of a monarchy *eo nomine*. Mr Salazar discloses the curious fact, that a constitutional monarchy has been the subject of much debate in Colombia, although it has been confined principally to private discussions, and rarely mentioned by public writers. The name is too unpopular in South America to encourage its introduction. But recent events indicate, that the substance is regarded with no unfavorable eye; and among military men especially, we fear too many agree to the assertion of Don Tomas de Heres; 'La cuestion está reducida á esta muy sencilla alternativa,—constitucion y ruina del Estado y de los hombres virtuosos, ó absolutismo y órden y paz.' Yet impartial observers cannot fail to inquire, whose machinations they were that contributed to reduce the question to the desperate alternative of anarchy or despotism.

ART. III.—*Documents and Proceedings relating to the Formation and Progress of a Board in the City of New York, for the Emigration, Preservation, and Improvement of the Aborigines of America.* July 22, 1829.

THE destiny of the Indians, who inhabit the cultivated portions of the territory of the United States, or who occupy positions immediately upon their borders, has long been a subject of deep solicitude to the American government and people. Time, while it adds to the embarrassments and distress of this part of our population, adds also to the interest which their condition excites, and to the difficulties attending a satisfactory solution of the question of their eventual disposal, which must soon pass *sub judice*. That the Indians have diminished, and are diminishing, is known to all who have directed their attention to the subject. For any purpose we have in view, it is not necessary to go back to the remote periods of aboriginal history, and investigate the extent of the population, and their means of subsistence, and to calculate the declension of the one, and the reduction of the other, as the white man advanced in his progress from the seat covered by a buffalo robe,* first given to him on the shore of the ocean, to the dominion he now enjoys. Such an inquiry would be vain and useless. The materials for any comparative estimate of Indian population at different periods, are scanty and unsatisfactory, collected without care, and combined without judgment. They are in fact but vague estimates, received and given in a spirit of exaggeration, and serving little more than to exhibit the probable relative strength of the various tribes.

But although precision be unattainable, and, we may add, unimportant, yet the principal facts are indisputable. The Indians have gradually decreased since they became first known to the Europeans. The ratio of this diminution may have been greater or less, depending on the operation of causes we shall presently investigate; but there is no just reason to believe, that any of the tribes, within the whole extent of our boundary, has been increasing in numbers at any period since they have been known to us. This opinion is expressed by

* The Indian tradition respecting the quantity of land first given to the white men.

the Superintendents of Indian affairs, in the report submitted to Congress at its last session, by the war department; and from the favorable opportunities possessed by those officers, of acquiring correct information upon this subject, their opinion must carry with it considerable authority.* The whole amount of Indian population, within the United States, east of the Mississippi, is estimated in this report at 105,060, and is divided as follows.

Within the states of Maine, Massachusetts, Rhode Island, Connecticut, and Virginia	2,573
The state of New York	4,820
Pennsylvania	300
North Carolina	3,100
South Carolina	300
Georgia	5,000
Tennessee	1,000
Ohio	1,877
Mississippi	23,400
Alabama	19,200
Indiana	4,050
Illinois	5,900
Territory of Michigan	29,450
Florida	4,000
	105,060

It will be seen, that in the original states the primitive stock has been reduced to 16,093 individuals, and that three fourths of the number now surviving, in the whole of the vast country east of the river Mississippi, are found in the states of Alabama and Mississippi, and in the Territory of Michigan, where the pressure upon them is now beginning to be felt, and will bring with it the usual process of deduction.

In the same report, the number of Indians west of the Mississippi is thus estimated,

Between the Mississippi and the Rocky Mountains	108,070
Within the ranges of the Rocky Mountains	20,000
West of the Rocky Mountains	80,000

Making a general aggregate of 313,130, within the United

* We are aware of the statements which have been made concerning the increase of population among the Cherokees, but we have seen no satisfactory evidence of it.

States, extending over twenty-four degrees of latitude and fifty-eight degrees of longitude. And these are the remnants of the primitive people, who, only two centuries ago, possessed this vast country; who found in the sea, the lakes, the rivers, and forests, means of subsistence sufficient for their wants.

It would be miserable affectation to regret the progress of civilization and improvement, the triumph of industry and art, by which these regions have been reclaimed, and over which freedom, religion, and science are extending their sway. But we may indulge the wish, that these blessings had been attained at a smaller sacrifice; that the aboriginal population had accommodated themselves to the inevitable change of their condition, produced by the access and progress of the new race of men, before whom the hunter and his game were destined to disappear. But such a wish is vain. A barbarous people, depending for subsistence upon the scanty and precarious supplies furnished by the chase, cannot live in contact with a civilized community. As the cultivated border approaches the haunts of the animals, which are valuable for food or furs, they recede and seek shelter in less accessible situations. The number of these animals may be diminished, but cannot be increased, by the interference of men; and when the people, whom they supply with the means of subsistence, have become sufficiently numerous to consume the excess annually added to the stock, it is evident, that the population must become stationary, or, resorting to the principal instead of the interest, must, like other prodigals, satisfy the wants of to-day at the expense of to-morrow.

The general principles regulating the population of the human race are as applicable to wandering tribes, deriving their support from the bounties of nature, as to stationary and civilized societies, where art and industry can increase almost indefinitely those products which minister to their wants. Population and production must eventually preserve a just ratio to each other. Whether the tribes upon this continent had attained the *maximum* of their population, before the discovery, we have not now the means of ascertaining. It is certain, however, as well from a consideration of their mode of life, as from a careful examination of the earlier narratives, that, greatly as they exceeded their present numbers, they were yet thinly scattered over the country. There is no reason to believe, that vegetable productions were ever cultivated to any

considerable extent by the Indians, or formed an important part of their food. Corn, and beans, and pumpkins were indigenous to the country, and were probably raised in small quantities around each Indian village. But they were left to the labor of the women, whose only instrument of agriculture was a clam-shell, or the shoulder-blade of a buffalo, tied to a stick. Their habits of life were then what they now are. They returned from their hunting grounds in the spring, and assembled in their villages. Here their few vegetables were planted. But although the seed-time came, no harvest followed; for before their corn was ripe, it was generally consumed, with that utter recklessness of the future, which forms so prominent and unaccountable a feature in their character. As the autumn approached, they separated and repaired to their *wintering* grounds, where, during eight months of the year, they were engaged alternately in the chase, and in those relaxations and amusements, peculiar to the condition of the hunter. This was the annual round of aboriginal life.

It is obvious, that the reduction or disappearance of the game, consequent upon the conversion of forests into fields, and the gradual advance of a civilized people, must have soon begun to press upon the means of subsistence, on which the Indians mainly depended. Other circumstances coöperated in the work of destruction. Fire-arms were introduced, and greatly facilitated the operations of the hunter. Articles of European merchandise were offered to the Indians, and they were taught the value of their furs, and encouraged to procure them. New wants arose among them. The rifle was found a more efficient instrument than the bow and arrow; blankets were more comfortable than buffalo robes; and cloth, than dressed skins. The exchange was altogether unfavorable to them. The goods they received were dear, and the peltry they furnished was cheap. A greater number of animals was necessary for the support of each family, and increased exertion was required to procure them. We need not pursue this subject further. It is easy to see the consequences, both to the Indians and their game.

Herds of buffaloes were once found upon the shore of Lake Erie, and at the base of the Allegany mountains. They have now receded to the plains beyond the Mississippi, and are every year migrating still further west. A few years since, they were unknown in the Rocky Mountains. They have now

passed that barrier, and will ere long reach the Pacific. The beaver has nearly disappeared upon all our borders, and hunters and trappers have followed them to the waters of the Columbia. Even the common red deer, once so abundant, is rarely found east of the Allegany, and is becoming scarce in the western regions.

But a still more powerful cause has operated to produce this diminution in the number of the Indians. Ardent spirits have been the bane of their improvement; one of the principal agents in their declension and degradation. In this proposition we include only those tribes in immediate contact with our frontier settlements, or who have remained upon *reservations* guarantied to them. It has been found impracticable to prevent the sale of spirituous liquors to those who are thus situated. The most judicious laws are eluded or openly violated. The love of spirits, and the love of gain, conspire to bring together the buyer and the seller. As the penalties become heavier, and the probability of detection and punishment stronger, the prohibited article becomes dearer, and the sacrifice to obtain it greater. We shall not attempt to investigate the cause of the inordinate attachment displayed by the Indians to ardent spirits. It is probably without a parallel in all the history of man, and is certainly so, with very few exceptions, in the whole range of their own society. There is a singular uniformity in its operation, destroying the effect of individual character, and substituting a common standard of feeling and deportment. These facts are known to all, to whom the Indians themselves are known. This predisposition was the subject of observation and regret two centuries ago; and the earlier historians and travellers, while they furnish the record of its existence, furnish also the evidence of its overpowering influence and destructive consequences.

Our object, as will be seen in the sequel, is not to trace the operation of all the causes which have contributed to the diminution of the population of the Indians. We confine ourselves to those which may be fairly attributed to the coming of the Europeans among them, and which are yet exerting their influence, wherever the two races are placed in contact. As we shall attempt eventually to prove, that the only means of preserving the Indians from that utter extinction which threatens them, is to remove them from the sphere of this influence, we are desirous of showing, that no change has occurred, or proba-

bly can occur, in the principles or practice of our intercourse with them, by which the progress of their declension can be arrested, so long as they occupy their present situation.

The consequences of their own wars, therefore, do not fall within this inquiry. These were in active operation long before our forefathers landed upon the continent, and their extent and effects have been gradually circumscribed by our interposition, until the war-hatchet has been buried by many of the tribes which are near us; and if not buried, will, we trust, ere long be taken from those which are remote.

To the operation of the physical causes, which we have described, must be added the moral causes connected with their mode of life, and their peculiar opinions. Distress could not teach them providence, nor want industry. As animal food decreased, their vegetable productions were not increased. Their habits were stationary and unbending; never changing with the change of circumstances. How far the prospect around them, which to us appears so dreary, may have depressed and discouraged them, it is difficult to ascertain, as it is also to estimate the effect upon them of that superiority, which we have assumed and they have acknowledged. There is a principle of repulsion in ceaseless activity, operating through all their institutions, which prevents them from appreciating or adopting any other modes of life, or any other habits of thought or action, but those which have descended to them from their ancestors.

That the aboriginal population should decrease under the operation of these causes, can excite no surprise. From an early period, their rapid declension and ultimate extinction were foreseen and lamented, and various plans for their preservation and improvement were projected and pursued. Many of them were carefully taught at our seminaries of education, in the hope that principles of morality and habits of industry would be acquired, and that they might stimulate their countrymen by precept and example to a better course of life. Missionary stations were established among various tribes, where zealous and pious men devoted themselves with generous ardor to the task of instruction, as well in agriculture and the mechanic arts, as in the principles of morality and religion. The Roman Catholic Church preceded the Protestant, in this labor of charity; and the *Lettres Edifiantes* are monuments of her zeal and liberality. Unfortunately, they are monuments also

of unsuccessful and unproductive efforts. What tribe has been civilized by all this expenditure of treasure, and labor, and care? From the martyrdom of Le Père Brebeuf, in 1649, upon the shore of Lake Huron, to the death of the last missionary, who sacrificed himself in a cause as holy as it has proved hopeless, what permanent effect has been produced? Year after year sanguine anticipations have been formed, to be succeeded by disappointment and despondency. We are flattered with accounts of success, with explanations for the past and hopes for the future; and this, without the slightest intention to deceive. But the subject itself is calculated to excite these expectations. There are always individuals attending these establishments, who give fair promise of permanent improvement and usefulness. And as these prospects are blighted, others succeed to excite the same hopes, and to end in the same disappointment.

In the 'Remarks upon Indian Reform,' written by the Rev. Isaac McCoy, to whom and to whose labors and opinions we shall hereafter refer, there are some views upon this subject, so apposite and correct, that we shall submit them to our readers. It must be borne in mind, that the writer is a missionary, and a pious and laborious one.

'Societies and their missionaries should carefully guard against what we might term *high coloring*. We are naturally fond of telling the more favorable parts of the story, and rather desire the unfavorable parts to sink into oblivion. I could readily point to statements respecting missionary operations, which approximate this character too nearly. But I deem it sufficient to mention only this general and undoubted fact, viz. a man in Europe, by reading the whole of our missionary journals, narratives, reports, &c. would be apt to suppose the success of our labors was such, that the aborigines of our country were rapidly improving their condition, both in respect to Christianity and civilization. How would such a one be disappointed on visiting these regions to find, that, instead of improvement in general, they were rapidly decreasing in numbers, and perishing under their accumulating misfortunes.'

The Wyandots, who occupied so much of the care of the Roman Catholic Missionaries, have dwindled to about 700 individuals, who are seated upon a *reservation*, near the centre of the state of Ohio. Serious divisions of opinion exist among them, and a sedentary life begins to be irksome. Already

their attention is directed to the trans-Mississippian regions. The Delawares, to whom the Moravians so long and faithfully devoted themselves, have already passed over the Mississippi, where they are resuming their pristine habits. A small society yet exists in Upper Canada; but they are diminishing, and certainly their appearance indicates neither prosperity nor improvement. The Iroquois or Six Nations, the Shawnese, the Miamies, the Potawatamies, and the Ottawas, all of whom have engaged the care and attention of individuals and societies devoted to this object, furnish no evidence of any melioration in their condition, which has resulted from the prosecution of these efforts.

The cause of this total failure cannot be attributed to the nature of the experiment, nor to the character, qualifications, or conduct, of those who have directed it. The process and the persons have varied, as experience suggested alterations in the one, and a spirit of generous self-devotion supplied the changes in the other. But there seems to be some insurmountable obstacle in the habits or temperament of the Indians, which has heretofore prevented, and yet prevents, the success of these labors. Whatever this may be, it appears to be confined to the tribes occupying this part of the continent. In Mexico and South America, a large portion of the aboriginal race has accommodated itself to new circumstances, and forms a constituent part of the same society with their conquerors. Under the Spanish *régime* they existed as a degraded cast; but still they were sedentary, living under the protection of the laws, and providing by labor for their comfortable subsistence.

In other parts of the continent, particularly in California and Paraguay, where the Spanish sway had but a nominal existence, the Jesuits succeeded in collecting the Indians into regular societies, in improving their morals and condition, and in controlling and directing their conduct. In the usual progress of conquest, where permanent possession is retained, the victors and vanquished become connected together, and if they do not form one people, they yet acknowledge obedience to the same laws, and look to them for protection. But from the St Lawrence to the gulph of Mexico, under the French, or British, or Spanish, or American rule, where is the tribe of Indians, who have changed their manners, who have become incorporated with their conquerors, or who have exhibited any just estimate of the improvements around them, or any wish to participate in them?

The interesting nature of this subject, and the views we shall present to our readers, demand, that the sources of our information should not be withheld from them. Our Indian relations generally are a concern, not of speculation, but of action; and a just and intimate knowledge of the Indians, of their mode of life, of their peculiar opinions, and of all that they feel, and suffer, and want, can only be acquired in their villages, camps, and hunting grounds. They stand alone among the great family of man, a moral phenomenon, to be surveyed and observed, rather than to be described and explained. Our personal intercourse with them has been confined almost wholly to the tribes in the Northwestern regions of the United States, to the Iroquois, the Wyandots, the Delawares, the Shawnese, the Miamies, the Kickapoos, the Sacs, the Foxes, the Potawatamies, the Ottawas, the Chippewas, the Ioways, the Menomonies, the Winebagoes, and the Sioux. Our general facts and deductions will be principally founded upon what we have seen and heard among these tribes. With the Southern Indians, the Creeks, Cherokees, Choctaws, and Chickasaws, we have not had the same opportunities of personal communication and observation. Of the Creeks and Cherokees, however, we have some knowledge; and so far as our personal intercourse with them has extended, they presented to us the same external appearance and the same general traits of character, which elsewhere mark the race of red men. And this similarity, we may almost say identity, of appearance and character, which prevails among our Indian tribes, is not the least striking of the peculiarities which designate them as a distinct variety of the human race. Speaking languages, which, in the present state of our knowledge of them, appear to spring * from four primitive stocks, and which are broken into many different dialects, in all the essential characteristics of mind, manners, and appearance, they are one people.†

We have made the inquiry respecting the permanent advantage, which any of the tribes have derived from the attempts to civilize them, with a full knowledge of the favorable

* We mean to confine this observation to the tribes east of the Mississippi.

† This fact was known to Dr Robertson. 'The qualities belonging to the people of all the different tribes, have such a near resemblance, that they may be painted with the same features.'—*Hist. Amer.* B. IV.

reports that have been circulated concerning the Cherokees. Limited as our intercourse with those Indians has been, we must necessarily draw our conclusions respecting them from facts which have been stated to us, and from the general resemblance they bear to the other cognate branches of the great aboriginal stock. It is due to truth, that this admission should be made.

That individuals among the Cherokees have acquired property, and with it more enlarged views and juster notions of the value of our institutions, and the unprofitableness of their own, we have little doubt. And we have as little doubt, that this change of opinion and condition is confined, in a great measure, to some of the *half-breeds* and their immediate connexions. These are not sufficiently numerous to affect our general proposition; and the causes, which have led to this state of things, are too peculiar ever to produce an extensive result. An analysis of these causes is not within the task we have assigned to ourselves. They have been operating for many years, and among the most prominent of them has been the introduction of slaves, by which means that unconquerable aversion to labor, so characteristic of all savage tribes, can be indulged. And another was the great road from Natchez through their country to the states on the Ohio, along which the persons employed in the trade to New Orleans returned, before the introduction of steam navigation. Favorable positions upon this road were occupied by some of their influential men, and the scanty supplies furnished to the traveller were sold at high prices. The benefit was exclusively confined to these persons. But, we believe, the great body of the people are in a state of helpless and hopeless poverty. With the same improvidence and habitual indolence, which mark the northern Indians, they have less game for subsistence, and less peltry for sale. We doubt whether there is, upon the face of the globe, a more wretched race than the Cherokees, as well as the other southern tribes, present. Many of them exhibit spectacles as disgusting as they are degrading. Only three years since, an appropriation was made by Congress, upon the representations of the authorities of Florida, to relieve the Indians there from actual starvation.

We are as unwilling to underrate, as we should be to overrate, the progress made by these Indians in civilization and improvement. We are well aware, that the constitution of the

Cherokees, their press, and newspaper, and alphabet, their schools and police, have sent through all our borders the glad tidings, that the long night of aboriginal ignorance was ended, and that the day of knowledge had dawned. Would that it were so. None would rejoice more sincerely than we should. But this great cause can derive no aid from exaggerated representations; from promises never to be kept, and from expectations never to be realized. The truth must finally come, and it will come with a powerful reaction. We hope that our opinion upon this subject may be erroneous. But we have melancholy forebodings. That a few principal men, who can secure favorable cotton lands, and cultivate them with slaves, will be comfortable and satisfied, we may well believe. And so long as the large annuities received from the United States, are applied to the support of a newspaper and to other objects, more important to the rich than the poor, erroneous impressions upon these subjects may prevail. But to form just conceptions of the spirit and objects of these efforts, we must look at their practical operation upon the community. It is here, if the facts which have been stated to us are correct, and of which we have no doubt, that they will be found wanting.

The relative condition of the two races of men, who yet divide this portion of the continent between them, is a moral problem involved in much obscurity. The physical causes we have described, exasperated by the moral evils introduced by them, are sufficient to account for the diminution and deterioration of the Indians. But why were not these causes counteracted by the operation of other circumstances? As civilization shed her light upon them, why were they blind to its beams? Hungry or naked, why did they disregard, or regarding, why did they neglect, those arts by which food and clothing could be procured? Existing for two centuries in contact with a civilized people, they have resisted, and successfully too, every effort to meliorate their situation, or to introduce among them the most common arts of life. Their moral and their intellectual condition have been equally stationary. And in the whole circle of their existence, it would be difficult to point to a single advantage which they have derived from their acquaintance with the Europeans. All this is without a parallel in the history of the world. That it is not to be attributed to the indifference or neglect of the whites, we have already shown. There must then be an inherent difficulty, arising

from the institutions, character, and condition of the Indians themselves.

On this subject the world has had enough of romantic description. It is time for the soberness of truth and reality. Rousseau and the disciples of his school, with distempered imaginations and unsettled reason, may persuade themselves of the inferiority of civilized to savage life; but he who looks abroad over the forests of our country, and upon the hapless beings who roam through them, will see how much they endure, that we are spared. It is difficult to conceive that any branch of the human family can be less provident in arrangement, less frugal in enjoyment, less industrious in acquiring, more implacable in their resentments, more ungovernable in their passions, with fewer principles to guide them, with fewer obligations to restrain them, and with less knowledge to improve and instruct them. We speak of them as they are; as we have found them after a long and intimate acquaintance; fully appreciating our duties and their rights, all that they have suffered and lost, and all that we have enjoyed and acquired.

It is not our intention to undertake a delineation of the Indian character. We shall content ourselves with sketching such features as may serve to explain the difficulty which has been experienced in extending to them the benefit of our institutions, and in teaching them to appreciate their value.

Every Indian submits in youth to a process of severe mental and corporeal discipline. During its course, frequent intervals of long and rigid abstinence are enjoined, by which the system is reduced, and the imagination rendered more susceptible. Dreams are encouraged, and by these the novice is taught both his duty and his destiny, and in them his guardian *manitou*, who is to protect him in life and attend him in death, appears in the shape of some familiar animal, thenceforth to be the object of his adoration. He is taught to despise death, and during his whole life he regards it with indifference. An Indian seldom commits suicide, not because the grave does not offer him a refuge, but because patience and fortitude are the first duties of a warrior, and none but a coward can yield to pain or misfortune. This sternness of purpose is another lesson early taught.

He learns also to despise labor, to become a warrior and a hunter, to associate the idea of disgrace with any other em-

ployment, and to leave to the women all the ordinary duties of life. He is a stern and unbending fatalist. Whatever of good or of evil may happen, he receives it with imperturbable calmness. If misfortunes press upon him, which he cannot resist, he can die; and he dies without a murmur. The opinions, traditions, and institutions of his own tribe, are endeared to him by habit, feeling, and authority; and from early infancy he is taught, that the Great Spirit will be offended by any change in the customs of his red children, which have all been established by him. Reckless of consequences, he is the child of impulse. Unrestrained by moral considerations, whatever his passions prompt he does. Believing all the wild and debasing superstitions which have come down to him, he has no practical views of a moral superintendence to protect or to punish him. Government is unknown among them; certainly, that government which prescribes general rules and enforces or vindicates them. The utter nakedness of their society can be known only by personal observation. The tribes seem to be held together by a kind of family ligament; by the ties of blood, which in the infancy of society are stronger as other associations are weaker. They have no criminal code, no courts, no officers, no punishments. They have no relative duties to enforce, no debts to collect, no property to restore. They are in a state of nature, as much so as it is possible for any people to be. Injuries are redressed by revenge, and strength is the security for right.

The faithful portrait of the Indians drawn by Dr Robertson in the fourth book of his History of America, is creditable alike to his industry and sagacity. It evinces the hand of a master, and we are tempted to lay before our readers a few detached extracts from that work. They delineate the red man as we have found him; neither elevating him above his true position, nor depressing him below it; and we bear our testimony to the general fidelity of this description. Among the authorities to which the distinguished author frequently refers, is the able and judicious historian of New France, Charlevoix.

'What they suffer one year does not augment their industry, or render them more provident to prevent similar distresses.' 'Such is their aversion to labor, that neither the hope of future good, nor the apprehension of future evil, can surmount it.' 'All the people of America, if we except some small tribes near the Straits of Magellan, whether natives of the tor-

rid zone, or inhabitants of its more temperate regions, or placed by a harder fate in the severe climates towards its northern or southern extremity, appear to be equally under the dominion of this appetite [love of ardent spirits].' 'The rude Americans, fond of their own pursuits, and satisfied with their own lot, are equally unable to comprehend the intention or utility of the various accommodations, which, in more polished society, are deemed essential to the comfort of life.' 'This preference of their own manners is conspicuous on every occasion.' 'Men thus satisfied with their condition, are far from any inclination to relinquish their own habits, or to adopt those of civilized life.' 'Even where endeavors have been used to wean a savage from his own customs, and to render the accommodations of polished society familiar to him; even when he has been allowed to taste of those pleasures, and been honored with those distinctions, which are the chief objects of our desires, he droops and languishes under the restraint of laws and forms, he seizes the first opportunity of breaking loose from them, and returns with transport to the forest or the wild, where he can enjoy a careless and uncontrolled freedom.'

It is easy, in contemplating the situation of such a people, to perceive the difficulties to be encountered in any effort to produce a radical change in their condition. The *fulcrum* is wanting, upon which the lever must be placed. They are contented as they are; not contented merely, but clinging with a death-grasp to their own institutions. This feeling, inculcated in youth, strengthened in manhood, and nourished in age, renders them inaccessible to argument or remonstrance. To roam the forests at will, to pursue their game, to attack their enemies, to spend the rest of their lives in listless indolence, to eat inordinately when they have food, to suffer patiently when they have none, and to be ready at all times to die; these are the principal occupations of an Indian. But little knowledge of human nature is necessary, to be sensible how unwilling a savage would be to exchange such a life for the stationary and laborious duties of civilized society.

Experience has shown, that the Indians are steadily and rapidly diminishing. And the causes of this diminution, which we have endeavored to investigate, are yet in constant and active operation. It has also been shown, that our efforts to stand between the living and the dead, to stay this tide which is spreading around them and over them, have long been fruit-

less, and are now hopeless. And equally fruitless and hopeless are the attempts to impart to them, in their present situation, the blessings of religion, the benefits of science and the arts, and the advantages of an efficient and stable government. The time seems to have arrived, when a change in our principles and practice is necessary; when some new effort must be made to meliorate the condition of the Indians, if we would not be left without a living monument of their misfortunes, or a living evidence of our desire to repair them.

A retrospective view of the relations which have existed between the civilized communities, planted or reared upon this continent, and the Indians, and an examination of the principles of their intercourse, may assist us in the further prosecution of this inquiry. Not that their example or authority can justify us in any system of oppression, but that maxims of jurisprudence, applied and enforced by wise and learned men, and practically adopted by the rulers of the old world for the government of the new, may be fairly presumed to be founded in the just and relative rights of the parties. If the Christian and civilized governments of Europe asserted jurisdiction over the aboriginal tribes of America, and, under certain limitations, a right to the country occupied by them, some peculiar circumstances must have existed to vindicate a claim, at first sight revolting to the common justice of mankind. And if these circumstances were not then, and are not now, sufficiently powerful to justify such pretensions, their interference was culpable, and so would be ours. The Indians are entitled to the enjoyment of all the rights which do not interfere with the obvious designs of Providence, and with the just claims of others. Like many other practical questions, it may be difficult to define the actual boundary of right between them and the civilized states, among whom or around whom they live. But there are two restraints upon ourselves, which we may safely adopt,—that no force should be used to divest them of any just interest they possess, and that they should be liberally remunerated for all they may cede. We cannot be wrong while we adhere to there rules.

The discovery of the western continent by Columbus opened to the maritime states of Europe new prospects of gain. It is well known, that their first establishments were made with a view to commerce and to the collection of gold. The system of colonization was gradually introduced, as its advan-

tages were foreseen or disclosed. At a very early period, so early in fact, that the principle itself must have existed in some shape or other in the public law of Europe, before the discovery,* it was assumed by all the nations prosecuting these voyages, that the first discoverer of unknown regions should be entitled to their permanent possession. And as has been well observed by Chancellor Kent, if this question were now open for discussion, 'the reasonableness of it might be strongly vindicated on broad principles of policy and justice, drawn from the right of discovery; from the sounder claims of agricultural settlers over those of hunters; and from the loose and frail, if not absurd title of wandering savages to an immense continent, evidently designed by Providence to be subdued and cultivated, and to become the residence of civilized nations.' †

There can be no doubt, and such are the views of the elementary writers upon the subject, that the Creator intended the earth should be reclaimed from a state of nature and cultivated; that the human race should spread over it, procuring from it the means of comfortable subsistence, and of increase and improvement. A tribe of wandering hunters, depending upon the chase for support, and deriving it from the forests, and rivers, and lakes, of an immense continent, have a very imperfect possession of the country over which they roam. That they are entitled to such supplies as may be necessary for their subsistence, and as they can procure, no one can justly question. But this right cannot be exclusive, unless the forests which shelter them are doomed to perpetual unproductiveness. Our forefathers, when they landed upon the shores of this continent, found it in a state of nature, traversed, but not occupied, by wandering hordes of barbarians, seeking a precarious subsistence, principally from the animals around them. They appropriated, as they well might do, a portion of this fair land to their own use, still leaving to their predecessors in occupation all that was needed, and more than was used by them.

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* In the commission granted to the Cabots in 1496, they are authorized to discover and take possession of countries *unknown to Christian people.* And in the famous bull of Pope Alexander the Sixth, by which he gives Ferdinand and Isabella the New World, he excepts what might have been in possession of some Christian power before 1493.

† Commentaries on American Law, Vol. III. p. 312.

In the progress of society in the old world, no similar circumstances had existed to render necessary any inquiry into the relative rights and duties of a civilized and barbarous people, thus situated, or to settle the principles of intercommunication between them. The nations of Christendom agreed in the general assumption of sovereignty, and of the ultimate dominion of the soil, as the consequence of discovery ; but their farther pretensions seem to have been a matter of internal policy, depending on the peculiar views of each power. 'The relations,' says Chief Justice Marshall, in delivering the opinion of the Supreme Court, in the case of Johnson *versus* McIntosh, 'which were to exist between the discoverer and the natives, were to be regulated by themselves. The rights thus acquired, no other power could interpose between.' Many subtile questions, arising out of these undefined and sometimes undefinable relations, have been agitated and warmly discussed. The controversy at Ghent, between our Commissioners and the British, wherein the latter endeavored to justify the interference of their government in the concerns of our Indians, by a resort to abstract principles and nice investigations into the natural rights of the parties, must be within the recollection of all our readers. The American ministers, by historical deductions, and by an appeal to the uniform pretensions and practice of the British, triumphantly repelled the new, and, we may add, most mischievous claim, then first advanced. They showed, and showed conclusively, that whatever was the relative situation of the United States, and of the aboriginal tribes inhabiting their territories, it was a question affecting the parties alone ; and that all the nations of Christendom, holding colonies where any of the primitive race yet remain, had excluded, with jealous care, every other power from any interference in their affairs. And this rigid exclusion is founded in the necessary principles of self-defence, and in the facility with which the Indians yield to any persuasion or impression, coöperating with their innate love of war. Let this principle be once conceded, and its practical application established upon the borders, and the Indians taught to look across the frontier for counsel and assistance, and we may abandon all hope of tranquillity, until our power is effectually employed in breaking the connexion, and in bringing them back to their pristine relations.

The position occupied by the Indians is an anomaly in the political world, and the questions connected with it are emi-

nently practical, depending upon peculiar circumstances, and changing with them. 'It is the law of the land,' says Chancellor Kent, speaking of the titles derived from conquest and discovery, 'and no court of justice can permit the right to be disturbed by speculative reasonings on abstract rights.' * 'We do not mean to say,' observes the Supreme Court of the State of New York, 'that the condition of the Indian tribes, at former and remote periods, has been that of subjects or citizens of this state. Their condition has been gradually changing, until they have lost every attribute of sovereignty, and become entirely dependent upon, and subject to, our government.' †

Our system of intercourse has resulted from our superiority in physical and moral power. 'The peculiar character and habits of the Indian nations, rendered them incapable of sustaining any other relation with the whites, than that of dependence and pupilage. There was no other way of dealing with them, than that of keeping them separate, subordinate, and dependent, with a guardian care thrown around them for their protection.' ‡ All this, and much more than this, is incontrovertible. They would not, or rather they could not, coalesce with the strangers who had come among them. There was no point of union between them. They were as wild, and fierce, and irreclaimable, as the animals, their co-tenants of the forests, who furnished them with food and clothing. What had they in common with the white man? Not his attachment to sedentary life; not his desire of accumulation; not his submission to law; not his moral principles, his intellectual acquirements, his religious opinions. Neither precept nor example, neither hopes nor fears, could induce them to examine, much less to adopt their improvements. The past and the future being alike disregarded, the present only employs their thoughts. They could not, therefore, become an integral part of the people who began to press upon them, as time and circumstances have elsewhere generally united the conquerors and the conquered, but still remained in juxtaposition, and in such circumstances as rendered inevitable a continued intercourse between them and their civilized neighbors. The result of all this was necessarily to compel the latter to prescribe, from

* Commentaries on American Law, Vol. III. p. 310.
† Johnson's Reports, Vol. XX. p. 193.
‡ Kent's Commentaries, Vol. III. p. 310.

time to time, the principles which should regulate the intercourse between the parties; keeping in view the great objects to be attained for their mutual benefit,—that the propensity of the Indians for war should be checked, and themselves restrained within reasonable limits; that they should be protected in all their just rights, and secured from their own improvidence, as well as from the avarice of the whites; and that the territory should be occupied for permanent improvement, whenever it was necessary for the one party, and could be spared without injury by the other.

The nature of the title, by which the Indians held their lands, is not easily reconciled to the principles by which the tenures of this description of property are regulated among civilized nations. Mr Adams, in the argument of the cause of Fletcher and Peck, before the Supreme Court, describes it as 'mere occupancy for the purpose of hunting. It is not like our tenures; they have no idea of a title to the soil itself. It is overrun by them, rather than inhabited.'

In accordance with this view, the ultimate dominion of the soil was asserted, by the European powers, to attach to the sovereign making the discovery. 'Thus has our whole country been granted by the Crown, while in the occupation of the Indians. These grants purport to convey the soil, as well as the right of dominion, to the grantees.' 'It has never been objected to this, or any similar grant, that the title as well as possession, was in the Indians, and that it passed nothing on that account.'* A difference is however observable among different nations possessing colonies in America, in their practical application of this claim of soil as well as of jurisdiction. The French and Spanish, following up the principle of '*pupilage*' and guardianship, judged for themselves as well as for the Indians, when land was wanted by one party and could be spared by the other, and what consideration should be paid for the right of occupation. We find no evidence of any treaties of cession formed between them and the Indians, nor even of any important councils, where the subject might be discussed, and the formal assent of the possessors obtained. And if we look to the influence acquired by the French over the Indians, in every part of the continent where they pene-

* Opinion of the Supreme Court of the United States, Johnson *versus* McIntosh.—Wheaton's Reports, Vol. VIII. p. 579.

trated, to the strong ties of friendship which connected them, and to the grateful recollection which is yet cherished of the French dominion, we shall be inclined to believe, that this system of acquisition could not be unsuitable to the condition of the parties. And it is our deliberate conviction, founded on some experience, that the Indians would have been at this day happier, and would have possessed far more useful and durable memorials of their sacrifices, had the government of the United States adopted a similar plan. We are prepared to expect, that many worthy and benevolent men will be shocked at a proposition, which would leave it to one party to judge what extent of territory should be yielded by the other, and what consideration should be allowed. This sentiment, so natural in cases of ordinary contracts, is the result of an entire misconception of the moral and intellectual attainments of the Indians. An artificial standard is established, and by this their claims to self-government and self-management are most erroneously adjusted. In the ordinary arrangements of an Indian treaty, the parties are placed in the relative condition of buyer and seller. Commissioners are appointed, charged with the interests of the United States, and instructed to procure a cession of land. These commissioners, feeling like other men for the wants and privations of the Indians, and commiserating their situation, are yet required by their duty to use all just and proper methods to effect the object of their mission. If the Indians, with the reckless improvidence which belongs to the savage character, demand a large portion of the consideration immediately, this demand must be granted; and stipulations must be inserted, of little permanent advantage to them. The commissioners occupy an arduous and responsible station. It is difficult for them to fix the value of the cession. As agents of one party, it is most natural they should endeavor to enlarge the extent of the purchase, and reduce the consideration demanded for it. But as the representatives of a powerful and intelligent nation, negotiating with a feeble, depressed, and ignorant remnant of the people, who once held the whole, and yet hold a portion of the country, they cannot disregard the just claims of such a people to protection and kindness. It is probable, as these views predominate at different treaties, that the stipulations in favor of the Indians are more or less liberal. And they would doubtless still oftener assume a decided character of liberality, were not the negotiators ap-

prehensive, that their motives might be arraigned, and themselves accused of favoritism or extravagance.

But instead of this convocation of the Indians and this system of traffic, what a different scene would be presented, were Congress to investigate the necessity and circumstances of each proposed purchase, and decide the consideration which should be allowed, and the various stipulations for the protection and permanent advantage of the Indians. The discussion would take place before the nation, and the decision would be made in view of their responsibility to the public opinion of Christendom and to the judgment of posterity. Who doubts that such a process would be more just and humane, than the practice now pursued.

This practice, however, has been followed since the commencement of our national existence. Under the colonial authorities, councils were generally held by the agents of the government, at which the assent of the Indians was procured to the occupation of tracts of land, granted by the Crown. Formal treaties of cession, however, requiring the ratification of the sovereign authority, were not formed. These seem to have been introduced into the United States alone. And to their introduction may be attributed much of the difficulty which speculative men have encountered in their investigations of this subject. In the ardor of a mistaken benevolence, they have elevated these little Indian communities to an equality with the civilized governments under whose protection they live. That in relaxing the principles of intercourse which many other nations had adopted with the Indians, we have introduced a system difficult to reconcile with our preconceived notions, cannot be disputed. We negotiate treaties with them, and deny their right to enter into an alliance with any other power, or to convey their lands without the assent of our government. We pass laws to punish them for offences committed in their own country, and acknowledge their right to declare war and conclude peace. We regulate their trade, prohibit the sale of strong liquors to them, and its introduction into their country, interdict the passage of our citizens across the boundary, except for specified objects, and forbid and require many other acts to be done for their safety or our own. If we are asked to reconcile these apparent inconsistencies, with what may be termed the natural rights of the parties, or with the consequences which may be logically deduced from

the premises, the answer is obvious. Such a reconcilement is unnecessary. The Indians themselves are an anomaly upon the face of the earth; and the relations, which have been established between them and the nations of Christendom, are equally anomalous. Their intercourse is regulated by practical principles, arising out of peculiar circumstances. Every nation has prohibited the interference of all others in these concerns, and each has assumed the right to restrain the Indians, whenever or wherever the necessary operation of their institutions, or their own licentious passions would endanger the safety of the bordering parties. From Cape Horn to Hudson's Bay, there is not an established government which has not practically acceded to this principle.

In the investigation of the rights secured to the Indians by the various treaties negotiated with them, it is important that a clear conception of the prior relations subsisting between the parties should be formed. When we find the words 'lands,' 'territory,' 'hunting grounds,' &c. used in these instruments, as descriptive of interests reserved or guarantied to the Indians, the extent of their operation must be ascertained by the principles previously or contemporaneously regulating the intercourse between them and us. No terms in these compacts could have been intended to convey the sovereignty of the territory, or the absolute dominion of the soil; for such improvident concessions would be equally inconsistent with all the legislation over them, recorded in our statute-books, and all the transactions with them recorded in our history, and with their own incapacity to protect their property from the efforts of the whites, or *themselves from themselves.* These are not questions of technical construction, to be settled by subtile arguments like too many of those in our own municipal law, but questions of fair and liberal interpretation, depending on the established rights and duties of the parties, and on their obvious intentions, deduced from the circumstances in which they were placed. These reservations and guaranties, whichever they may be, were designed to secure to the Indians their preëxisting rights, as they had enjoyed and we had acknowledged them; to secure to them the possession of their lands; that right of occupancy, which is compatible with their habits and pursuits, and with our immediate jurisdiction and ultimate domain. And this is the interest which was decided by the Supreme Court of the United States, in the case of

Fletcher and Peck, to exist in the Indians, and to be consistent with the paramount claim asserted over them by the general and state governments. And it is not unworthy of remark, that this case was founded upon a grant of land, made by the state of Georgia before the extinction of the Indian title, which grant was ruled by the Court to convey such an interest to the party as would enable him to maintain a suit.

Our compacts with the Indians assume the form of solemn treaties, passing through the ordinary process of ratification. These are obligatory upon them and us, for all the purposes fairly inferable from them, and we trust they will never be violated. But because we have resorted to this method of adjusting some of the questions arising out of our intercourse with them, a speculative politician has no right to deduce from thence their claim to the attributes of sovereignty, with all its powers and duties; and to do many other acts, which would be as certainly reconcilable with the character of independence, as they would be inconsistent with their acknowledged relations to us, and numerous enactments of our own laws.

The qualified submission which we exact from them, yields to the strong claims of humanity, when by their own passions, or *external influence*, they are induced to attack our borders. We relax the stern principles of allegiance, which recognise no right in any person, subject to our jurisdiction and enjoying its protection, to take up arms against the government; and commiserating their inferiority in knowledge and in all the elements of prosperity, we consider them as enemies, and not as traitors; we summon them to the council-house, and not to the judgment-seat. Providence has placed them in contact with us, and with habits and feelings, which render their incorporation into our society impracticable. The sight of the war-flag, or the sound of the war-drum, operates instantly and intensely upon the warriors, and coinciding with their institutions and opinions, irresistibly impels them to war. And yet the merciful course of procedure towards them, which we have adopted, founded on these obvious motives, furnished the British Commissioners at Ghent with an argument to support the doctrine which they advocated, of absolute independence in our aboriginal tribes. These nogotiators were bewildered in metaphysical subtilties, and in the same spirit the general subject has lately been discussed in our own country. Principles are pushed to extremes, without recollecting that our su-

pervising care and control over the Indians give us the right of conducting our intercourse with them, in such manner as may appear to us most conducive to the prosperity of both parties, and that the key to our law and practice will be found in the proposition stated by Chancellor Kent, that 'they are placed under our protection and subject to our coercion, so far as the public safety requires it, and no further.' *

A serious controversy, growing out of our relations with the Indians, has existed in the South for some years. Its progress has been observed with much anxiety in other portions of the union. We have no intention to enter into the consideration of any branch of the subject relating to the rights of the state of Georgia, or the duties of the United States, as deduced from the instrument of cession, by which that state granted her western territory to the general government. The object we have in view does not render this inquiry necessary.

But the situation of the four southern tribes, and more particularly of the Creeks and Cherokees, seems to demand a dispassionate examination; and the considerations connected with it are assuming a character of great importance, both to us and to them.

The pamphlet, the title of which is placed at the head of this article, contains a number of documents which we shall examine in the sequel. The most important are a *talk* from the President of the United States to the Creek Indians, and two letters from the Secretary of War, one to a delegation of the Cherokees, and another to the Secretary of the Society for the Emigration, Preservation, and Improvement of the Indians. These papers disclose the views of the executive branch of the government respecting the interesting topics connected with our Indian relations, which are forcing themselves upon the public attention, in the evidently approaching crisis of our Indian affairs.

The phraseology adopted in the talk of the President, evinces much tact, and just conceptions of the Indian mode of expression and communication. The figures are in strict accordance with Indian usage, deriving their strength from sensible objects, and appealing directly to the feelings of the Indians. The criticism, to be sure, is not worth much; but all

* Gordell *versus* Jackson. Court of Errors of New York.—Johnson's Reports, Vol. XX. p. 740.

who have been in council with them, must have observed the happy effect sometimes produced by a lucky allusion; and considering the forced metaphors, which are *inflicted* upon us, as specimens of aboriginal eloquence, it is well, when we meet just examples of their manner of public address, to notice them.

But it is with the principles and purposes of this document, that our business lies. There is nothing diplomatic in its composition, for it is plain and direct in the views it takes, in the advice it offers, and in the purposes it avows.

The Indians are reminded of the difficulty of living in immediate contact with the white people in a state of harmony; and the diminution and destruction of their game, and consequent distress of their people, are brought to their notice. These are the two obvious topics to be pressed upon the consideration of the Indians, and are calculated, more than all others, to produce an effect upon them. The danger of collision, to which their present situation exposes them, is practically illustrated by a demand, in this very document, of the surrender of some of their people, who, not long since, murdered one of our citizens.

The President offers them a country beyond the Mississippi, to be guarantied to them by the United States, where there can be no interfering claim, and which they can possess 'as long as the grass grows or the water runs.' He also promises 'to protect them, to feed them, to shield them from all encroachment.' He informs them, that the state of Alabama has extended its laws over them, and that those who remain must submit to their operation, but that land will be assigned to them and their families in fee.

The letter of the Secretary of War to the Cherokee delegation, is in conformity with the views taken by the President; but the subject is more fully considered, and some topics are introduced, which are applicable to that tribe only.

This letter was in answer to a communication from the delegation, complaining that the state of Georgia had extended her laws over the tribe, and asserting an exemption from her jurisdiction, as well upon general principles as from the compacts and relations subsisting between them and the United States. In repelling this claim, the Secretary adverts to the alliance subsisting between them and the British government during our revolutionary war, and to the rights of sovereignty which, by the issue of that war, devolved upon the states of North

Carolina and Georgia.* He contends, that the lenity which was shown to that tribe when conquered in war, gave them no rights which they did not previously possess, but left them merely the occupancy of the soil as they had enjoyed it under the British authority.

He then quotes some of the provisions of the treaty of Hopewell, by which the first war between them and the United States was terminated, and deduces from the nature and stipulations of the compact, and from general principles, the conclusion, that their rights were not enlarged, but merely secured by that instrument, and that the sovereignty and ultimate domain remained in the state governments. Our own view of this branch of the subject we have already given; and if the peculiar relations subsisting between us and the Indians are not to control and regulate the construction of our compacts with them, every Indian treaty is a virtual acknowledgment of their independence, and its conclusion with them a practical recognition of their right to all the attributes of sovereignty. If their claims to establish and maintain a government, and to possess the absolute title of the land, are deducible from the course of these negotiations, or from the general nature of the instruments themselves, we have in fact abandoned all just right to restrain or to coerce them. They are as independent as we are, and can come forward and take their stations among the nations of the earth. 'I know of no half-way doctrine on this subject. We have either an exclusive jurisdiction, pervading every part of the state, including the territory held by

* The view here taken is in strict conformity with the doctrine advanced by the Supreme Court of the United States, in the case of Johnson *versus* McIntosh.—Wheaton's Reports, Vol. VIII. p. 508.

'The British government,' says Chief Justice Marshall, 'which was then our government, and whose rights have passed to the United States, asserted a title to all the lands occupied by the Indians, within the chartered limits of the British colonies. It asserted also a limited sovereignty over them, and the exclusive right of extinguishing the title which occupancy gave them.' We presume, that by the term 'United States,' the Chief Justice did not refer to the confederated government merely, but to the states individually, as well as collectively. Some of the rights of the British government passed to the states in one capacity, and some in another. And whatever may be thought of the question, which once so seriously agitated the union, respecting the right to the soil of the western lands, no one ever doubted the claim of the individual states to the land lying within these reasonable and acknowledged chartered limits.

these Indians, or we have no jurisdiction over them whilst acting within their reservations.' *

This is unquestionably the true view of the case. Our right of jurisdiction over them, founded upon the principles we have already discussed, and supported by our own practice, and by that of every nation which has extended its sway over them, is perfect. But in the exercise of this jurisdiction, a just regard is due to the relative situation of the parties, and unnecessary restraints should not be imposed upon the Indians. Of the extent and necessity, however, of these restraints, we must, from the nature of the case, be the judges. And our judgment must be pronounced with that responsibility to the public opinion of the present day, and of posterity, which forms the best security for the virtuous administration of national affairs; recollecting, that 'they are placed under our protection, and subject to our coercion, so far as public safety requires it, and no further.' † And the paramount authority must also determine the manner in which this jurisdiction shall be asserted; whether the principles to be enforced shall pass through the ordinary process of legislation, and be recorded in our statute-books, or whether they shall be submitted to, and approved by, both parties, and embodied in a treaty. We have followed each course, without any very obvious difference in the principles or objects, which sometimes appear as a municipal regulation, and sometimes as a conventional arrangement; while, we believe, all other nations adopt the '*Sic volo*,' in their communications with the aboriginal tribes. And as 'their condition is gradually changing,' ‡ the time is probably not far distant, when our practice must change, and when the legislatures must speak to them as they speak to our own citizens, in terms of authority.

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* Chief Justice Spencer. Supreme Court of New York.—Johnson's Reports, Vol. XX. p. 193.

† Chancellor Kent, *ut supra*. The learned commentator, by the expression 'public safety,' did not mean to restrict this right of interference to cases involving actual danger. For we should then be left, and so would the British government, which has adopted the same course, without any justification for our laws regulating trade and intercourse with them, for the restrictions upon their power to convey their lands, and for many disabilities, or, more truly, protections, found in our statute-books. The permanent interest of both parties must be the measure of this 'public safety.'

‡ Chief Justice Spencer, *ut supra*.

But we must return to the letter which we have had under examination. The Secretary, after alluding to the rights acquired by Georgia under the cession of 1802, proceeds to consider the claim of the Indians, as expressed by themselves, to be 'unshackled' by 'the laws of the individual states, because independent of them.' And after showing the fallacy of the proposition, he states very forcibly the disastrous consequences of an interference by the President to stay the exercise of jurisdiction by the state of Georgia, even if her claim were a doubtful one. The question would be one admitting no common arbiter, and the delegation is emphatically told, that 'the President cannot and will not beguile them with such an expectation. The arms of this country cannot and will not be employed to stay any state of this union from the exercise of those legitimate powers which attach and belong to their sovereign character.' Whatever may be thought of the view of this question taken by the government, the frankness of the reply is worthy of praise. Nothing is concealed, and nothing left to conjecture. The Secretary then assures them, that the United States will afford them protection, and secure to them the occupation of their soil; that 'this is demanded by justice, and will not be withheld;' but that in 'doing this, the right of permitting to them the enjoyment of a separate government within the limits of a state, and of denying the exercise of sovereignty to that state, within her own limits, cannot be admitted.'

The subject of a removal from their present residence, and an establishment in the trans-Mississippian regions, is then introduced, and the considerations in favor of the measure are ably urged. We quote the following portions of the letter, because the views which are taken are practical and just, and are enforced in a spirit of kindness and humanity.

'The President desires me to say, that the feelings entertained by him towards your people, are of the most friendly kind; and that in the intercourse heretofore, in past times, so frequently had with the chiefs of your nation, he failed not to warn them of the consequences which would result to them from residing within the limits of sovereign states. He holds to them now no other language than that which he has heretofore employed, and in doing so, feels convinced, that he is pointing out that course, which humanity and a just regard for the interest of the Indians will be found to sanction. In the view entertained by him of this

important matter, there is but a single alternative,—to yield to the operation of those laws, which Georgia claims and has a right to extend throughout her own limits, or to remove, and by associating with your brothers beyond the Mississippi, to become again united as one nation, carrying along with you that protection which, there situated, it will be in the power of the government to extend. The Indians being thus brought together, at a distance from their white brothers, will be relieved from very many of those interruptions which, situated as they are at present, are without a remedy. The government of the United States will then be able to exercise over them a paternal and superintending care, to happier advantage; to stay encroachments, and preserve them in peace and amity with each other; while with the aid of schools, a hope may be indulged, that ere long industry and refinement will take the place of those wandering habits now so peculiar to the Indian character, the tendency of which is to impede them in their march to civilization.'

The delegation is then informed, that instructions had been given to remove from their lands certain persons, who had intruded upon them, and of whom they had complained.

The letter addressed by the Secretary of War to the Secretary of the Society for the Emigration, Preservation, and Improvement of the Indians, contains the same general views upon these topics as the preceding letter; with some difference, however, in the argument and illustrations, and an unequivocal disavowal of any intention on the part of the President to effect the removal of the Indians by compulsory measures. The appeal to the law and practice of other states, is strongly put, and the *reductio ad absurdum* clearly stated.

'From the conversations had with the President, recently and formally, on the subject of the Indians, I am satisfied, that no man in the country entertains towards them better feelings, or has a stronger desire to see them placed in that condition which may conduce to their advancement and happiness. But to encourage them to the idea, that within the confines of a state, they may exercise all the forms and requisites of a government, fashioned to their own condition and necessities, he does not consider can be advantageous to them, or that the exercise of such a right can be properly conceded. What would the authorities of the state of New York say to an attempt on the part of the Six Nations, to establish within her limits a separate and independent government; and yet their authority to do so would be as undeniable as that of the Creeks or Cherokees, within the territory of Georgia or Alabama. Would they agree,

that the Indian law of retaliation on the next of kin should be enforced, for the accidental killing of one of their own tribe ? * Or that nothing of trade and commerce by her citizens should take place within their limits, except in conformity to the provisions of their municipal code ? Would they consent to have their citizens rendered liable to be arraigned at the bar of an Indian court of justice, and to have meted out to them the penalties of their criminal code ? It is obvious that no state in the union would grant such authority. Concede, however, that these Indians are entitled to be considered sovereign within their own limits, and you concede everything else as matter of consequence. Admit the principle, and all is admitted.'

We have considered these able and interesting documents at some length, because they furnish the first disclosures, which have been publicly made by the executive department of the government, of its general views of the principles and policy of our Indian intercourse, since the message of Mr Monroe to Congress in 1825, communicating his sentiments upon the same subject. They are therefore important state-papers; and the doctrine maintained, and the purposes avowed, are well worthy of an impartial examination.

Three distinct propositions are deducible from these documents.

1. A direct avowal of the right of the individual states to assert and exercise jurisdiction over the Indians living within their limits, and an explicit declaration, that the general government will not interfere to prevent the exercise of this authority.

2. A conviction that the best interests of the Indians require their removal beyond the Mississippi, where only they can expect to increase and improve, and the advice of the President to them to adopt this course without delay ; in which case a suitable country will be assigned and guarantied to them, and the necessary aid furnished by the United States to enable them to remove, and to establish themselves comfortably in their new residence.

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* Let the Supreme Court of the state of New York answer this apposite question. 'This statute not only asserts the exclusive jurisdiction of this state over all crimes or offences committed within the Indian reservations, but it expressly *negates* any jurisdiction to the Indian tribes to take cognizance of offences committed therein, even by those of their own tribe.'—Johnson's Reports, Vol. XX. p. 192.

3. A solemn assurance, that no force will be employed to effect their removal, and that those who decline to remove will be suffered to remain upon their lands, and protected in their right of occupation. To which may be added, that land may be laid off in fee to such families as remain, and as, we presume, may wish to receive it.

Such are the views of the American government upon this interesting topic. It is evident, from many circumstances, that the time has arrived, when some change is necessary in this branch of our policy. The public mind in our own country is agitated by the doubts and difficulties attending it; and the Indians themselves seem aware, that their fate must, ere long, be finally decided. If the subject is considered in a spirit of wisdom and moderation, that decision may lead to their ultimate prosperity.

As we have already touched incidentally upon the rights and duties of civilized states, in their intercourse with savage tribes residing within their borders, we shall not enter into a formal discussion of the subject. After a few remarks upon the general question, a reference to some authorities, and an appeal to some examples, we shall dismiss the topic.

The relations which the nations of the world bear to one another, have been deduced from general principles of expediency and natural law; discussed and illustrated by learned and able men; settled by the practice of many ages, and acquiesced in by all the governments, sufficiently advanced in knowledge and improvement to comprehend the subject and estimate its importance. Their attitude is that of entire independence, acknowledging no superiority and applying to no common arbiter. In all disputes which arise, the subject is discussed upon general principles of reason and international law; and few claims are now made or resisted, for which plausible arguments cannot be advanced by each party. If these discussions are unsuccessful, war must follow; for, as is observed by the Secretary of War, the 'sword is the alone arbiter in any community, where questions of adverse sovereignty and power are to be settled.' In the actual condition, however, of civilized states, powerful restraints are imposed upon any disposition which may exist to appeal with too much facility from reason to force. These are found in the moral sentiments of all rulers, in the acknowledged obligation of public law, in the efficacy of public opinion, in the certain in-

jury and uncertain issue of war, and to these we may add, among the nations of Christendom, the influence of the Christian religion. It is fortunate for the peace of mankind, that the general progress of improvement and diffusion of knowledge, which are now taking place, will extend the obligation of these causes, and add vigor to their operation. But there are barbarous tribes in the world, who do not feel the force of these restraints, who have neither religion nor morality, neither public opinion nor public law, to check their propensity for war; whose code requires them to murder, and not to subdue; to plunder and devastate, and not to secure. Are such tribes to be admitted into the community of nations, ignorant of everything but their own barbarous practices, and utterly regardless of their own promises, and of any higher obligations? While they occupy distant islands, or remain insulated amid the forests of an immense continent, the question is purely speculative. But when they approach a civilized region, or a civilized region approaches them, it assumes a character of great importance; and a just regard to their own safety requires the people thus brought into contact with them, to investigate and settle the principles of intercommunication. Such is and has long been the situation of the European colonies planted in America, and of the independent states which have arisen from them.

From the commencement of these settlements, a rude and barbarous people were around them and among them; a people whose only business was war and hunting; who acted from impulse more than from reason; whose customs required blood for blood, injury for injury, without looking to the intention of the party; who could not feel the obligation of general principles, nor engage in their discussion; who had no governments to guide or control them, no laws to restrain them, no officers to punish them; who had no permanent, settled residence, where they could be found, nor any property to defend; whose institutions irresistibly impelled them to war; whose young men were despised, until they had shed the blood of an enemy, and whose old men were disregarded when too feeble to pursue that enemy; who, in all their intercourse with the whites, seem to be actuated only by a fear of consequences, or by the hope of obtaining some advantage;—and it is our decided conviction, that these are the ruling motives which influence their conduct.

It is evident, that two such races cannot exist in contact, independent of each other. Their wars would soon come to be wars of extermination; or the civilized power, gaining the ascendency due to superiority in arms, intelligence, and improvement, would exercise a wholesome restraint over the conduct, and a general supervision over the concerns, of their barbarous neighbors. A jurisdiction of this nature is essential to the safety of both, and its extent must be determined by those who are called to exercise it. Acknowledging the force of these principles, and acting in conformity with them, we have already seen, that the various European nations, possessing colonies in America, have assumed complete authority over the aboriginal tribes remaining within their limits. And can it be doubted, if one of these tribes were placed upon the continent of Europe, that some of the surrounding powers would take it under their protection, and exercise a general superintendence over it? And this, without their consent, or even against it, but 'from the necessity of the case.' Thus, without going back to the question of right derived from conquest or discovery, or resorting to the received doctrine respecting the duty of cultivating the earth, it is enough for our present view, that we are here; and that, whether the original system of colonization were right or wrong, a just regard to the safety of both requires, that we should govern and they obey.

This general right of control is not subject to the artificial rules of construction already referred to, which too often defeat the wholesome operation of municipal law. It depends upon higher principles, and appeals to the moral sense of mankind. It is founded in what is termed, by the writers upon the law of nations, 'the right of security.' 'A nation may even,' says Vattel, speaking of the consequences of this right, 'if necessary, put the aggressor out of the condition to injure him. He makes use of his right in all these measures, when guided by reason.' * No candid man can look back upon the history of the Indians, or survey their habits, character, and institutions, without being sensible, that they are 'a nation of a restless and mischievous disposition,' and that 'all have a right to join in order to repress, chastise, and put it ever after out of its power to injure them.'

Nor can it be objected to the practical application of this

* 2 Vattel, Book ii. Chapter 4.

doctrine, that the Indians have improved in their manners and morals, and are now less disposed than formerly to molest our frontiers. Some of the most unprovoked aggressions and atrocious barbarities have been committed within a few years; and nothing but the absence of foreign aid, and the impression of our strength, prevents the renewal of the scenes at Fort Mimms, at the Maumee, and at the River Raisin.

The elementary writers of Europe have frequently discussed the questions of the relative rights and duties of civilized and savage nations, to which the discovery of the New World has given rise. And their conclusions are in conformity with the view we have presented. 'Vattel had just notions of the value of these aboriginal rights of savages, and of the true principles of natural law in relation to them. He observes, that the cultivation of the soil was an obligation imposed by nature upon mankind, and that the human race could not well subsist or greatly multiply, if rude tribes, which had not advanced from the hunter state, were entitled to claim and retain all the boundless forests through which they might wander. If such people will usurp more territory than they can subdue and cultivate, they have no right to complain, if a nation of cultivators puts in a claim for a part. Though the conquest of the half-civilized empires of Mexico and Peru was a palpable usurpation, and an act of atrocious injustice, the establishment of the French and English colonies in North America was entirely lawful; and the colonists have not deviated from the precepts of the law of nature, in confining the natives within narrower limits.' *

The same general doctrine, variously illustrated and modified, will be found in the works to which we have referred in the margin. Any of our readers, who are disposed to pursue this investigation farther, will meet with an ample field for their research in the consideration of this subject, and of the authors who have discussed it. †

In the case before referred to, of Johnson *versus* McIntosh,

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* Kent's Commentaries, Vol. III. p. 313, 314.

† Penn *versus* Lord Baltimore, 1 Vesey, 445.—2 Rutherford's Institutes, 29.—Locke on Government, Book ii. Chapter 7, Sections 87, 89. Chapter xii. Section 143. Chapter ix. Sections 123, 130.—Jefferson's Notes, 126.—Colden's History of the Five Nations, 2–16.—Smith's History of New York, 35–41.—Montesquieu, Esprit des Lois, l. xviii. Chapters 11, 12, 13.—Smith's Wealth of Nations, Book v. Chapter 1.—Martens' Law of Nations, 67, 69.

in the Supreme Court of the United States, the Chief Justice says, that 'the United States then have unequivocally acceded to that great and broad rule by which its civilized inhabitants now hold this country. They hold, and assert in themselves, the title by which it was acquired. They maintain, as all others have maintained, that discovery gave an exclusive right to extinguish the Indian title by occupancy, either by purchase or by conquest, and *gave also a right to such a degree of sovereignty, as the circumstances of the people would allow them to exercise.*' *

And again, 'But the tribes of Indians inhabiting this country were fierce savages, whose occupation was war, and whose subsistence was chiefly drawn from the forest. To leave them in possession of their country, was to leave the country a wilderness; to govern them as a distinct people was impossible, because they were as brave and as high-spirited as they were fierce, and they were ready to repel by arms every attempt on their independence. What was the inevitable consequence of this state of things? The Europeans were under the necessity, either of abandoning the country and relinquishing their pompous claims to it; or of enforcing those claims by the sword, and by the adoption of principles adapted to the condition of a people with whom it was impossible to mix, and who could not be governed as a distinct society; or of remaining in their neighborhood, and exposing themselves to the perpetual hazard of being massacred. Frequent and bloody wars, in which the whites were not always the aggressors, ensued.' †

'For a long succession of years,' says the Supreme Court of New York, 'we have exercised an entire supremacy over all the tribes within the state, and have regulated by law their internal concerns, their contracts, and their property.' ‡

But leaving these views, founded upon principle and authority, let us inquire into the actual relations which have been established between the colonies and states of European descent, and the aboriginal tribes. And we believe it will be found, that no doubts have heretofore existed, respecting the extent of the jurisdiction they *could* exercise. The only doubt has been, how far expediency and discretion required, that jurisdiction *should* be exercised.

France, as we have already stated, never suffered her au-

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* Wheaton's Reports, Vol. VIII. p. 587. † Idem, p. 590.
‡ Johnson's Reports, Vol. XX. p. 193.

thority to be controlled or questioned by the Indian tribes. Her laws and ordinances penetrated every part of her empire in America, and the extent of their operation was only determined by the sovereign power.

Spain, as is well known, assumed an entire jurisdiction over the savages occupying the country she acquired by conquest or discovery.

'In America every Indian is either an immediate vassal of the crown, or depends upon some subject, to whom the district, in which he resides, has been granted for a limited time, under the denomination of an *encomienda*.' *

'For the farther relief of men so much exposed to oppression, the Spanish Court has appropriated an officer in every district, with the title of Protector of the Indians. It is his function, as the name implies, to assert the rights of the Indians; to appear as their defender in the courts of justice; and by the interposition of his authority, to set bounds to the encroachments and exactions of his countrymen.' †

We need not go back to our colonial history, to discover the maxims of British policy upon this subject. From one end of her empire to the other, the acts of her Parliament are supreme, and all other authority bows before them. How far that nation has extended its authority over the territories of the Indians, will be seen by the following section of an act of the thirty-first of George the Third, passed August 11, 1803.

'That from and after the passing of this act, all offences committed within any of the Indian territories, or parts of America, not within the limits of either of the said Provinces of Lower or Upper Canada, or of any civil government of the United States of America, shall be, and shall be deemed to be, offences of the same nature, and shall be tried in the same manner, and subject to the same punishment, as if the same had been committed within the provinces of Lower or Upper Canada.'

The third section provides for the appointment of persons to issue process into any of the Indian territories, and authorizes the apprehension and conveyance to Lower Canada for trial, of any one guilty of any offence in said territories.

We imagine it would be difficult for Georgia or Alabama to pass a more comprehensive law than this, or one assuming more absolute jurisdiction.

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* Robertson's History of America, Book viii. † Idem.

The United States have provided, by municipal regulations, the mode in which trade shall be carried on in the Indian country, in which ardent spirits shall be excluded, trespasses punished, and horses purchased. Disabilities are imposed and securities are provided, evincing alike the opinion of Congress, that they possess jurisdiction over the Indian country, and that it was expedient to exercise it. Among the most important of the latter is the clause which creates a presumption in favor of an Indian who has ever been in possession of any property, the right of which is in dispute between him and a white man. The provision also, disabling Indians from selling clothing, cooking or farming utensils, arms, &c. is in fact an important protection. The military force is authorized to aid in the apprehension of offenders.

Who doubts that the authority which could enact the following clause, could embrace within its operation the whole 'life and conversation' of the Indians, did policy or necessity require it? It is a statute of the United States, and declares, 'that if any Indian, or other person or persons, shall, within the United States, or within any town, district, or territory, belonging to any nation or nations of Indians, commit any crime, offence, or misdemeanor, &c. he shall be punished, &c. Provided that no treaty stipulation shall be affected, and that the act shall not extend to any offence committed by one Indian against another within the Indian boundary.'

Connecticut, as early as 1669, extended the punishment for murder to all Indians living within the state; and in 1675, made it penal for any Indian to be drunk. In 1717, the civil authority is required to make the Indians acquainted with the laws of the state for the punishment of such immoralities as they may be guilty of, 'and make them sensible, that they are liable to the penalties, in case they transgress the laws.'

New York, as we have seen, has expressly taken from her Indian tribes all right to try and punish their own people, and has extended her criminal code over them, and rendered them responsible to her courts, declaring, that 'the sole and exclusive cognizance of all crimes and offences committed within this state, belongs of right to the courts holden under the constitution and laws thereof, as a necessary attribute of sovereignty.'*

* Johnson's Reports, Vol. XX. p. 192.

We may safely deduce, from this cursory examination, the general principle, that civilized states have a right to extend their jurisdiction over tribes of savages living within their limits; and that in the practical application of this principle, the usage has varied from an absolute jurisdiction, leaving no distinction between Indians and other citizens and subjects, to that general supervision exercised by the United States over the more remote tribes, which leaves in full vigor all their institutions. Each state must judge for itself, how much of this authority it will relinquish or retain.

Our peculiar form of government presents for consideration one question, which cannot exist in a monarchy or in a consolidated republic. Is the jurisdiction, which we may be called upon to exercise over the Indian tribes, to be assumed by the authorities of the confederation, or of the state, within which such tribes reside? It is a question growing out of our own municipal institutions, to be determined by ourselves, in which other nations have no right to interfere, and the decision of which can give no just cause of complaint to the Indians.

We have seen that the executive department of the Union has conceded the existence of this right in the state governments, and we think a few observations will be sufficient to show, that it is a concession demanded by the principles of our government, and by the usage which has prevailed among many of the members of the confederation. In the consideration of questions involving the powers of Congress and of the state legislatures, one principle of construction seems firmly established; that the latter possess all the legislative authority which is not withheld from them, and that the former possess none which is not granted to them. The power of the states, *ex vi termini*, extends over all the persons and objects within the boundaries of the states. This power, in the words of the statute of New York already referred to, is '*a necessary attribute of sovereignty.*' Has that portion of it, which operates upon the Indians, been granted to the general government? To the constitution of the general government we must look for the resolution of this question. And the only provision we there find, relating to the Indians, is the third clause of the eighth section, which grants to Congress the power 'to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.' Certainly this is too narrow a foundation upon which to erect so broad a superstruc-

ture, as that which would include within it the whole of the concerns of the Indians. The regulation of commerce can by no fair interpretation include, within the sphere of its operation, all the acts and duties of life, and thus confer the power of exclusive legislation. And the less so, as the same clause extends this power of regulating commerce to the intercourse with foreign nations, and among the several states; over the former of which Congress can have no legislative power, and over the latter a legislative power in certain specified cases only.

To the general government is also given authority to 'make all needful rules and regulations respecting the *territory*, or other property belonging to the United States.' But this power has no necessary connexion with the usual process of legislation. The jurisdiction over the territory may be in the states, and the power to dispose of it in the United States. And such, in fact, is the operation of this clause.

Congress regulate as they please the disposal of the public lands, punish trespasses upon them, and have created a system for their survey and sale and settlement. But the persons living upon these lands, before their sale, are subject, as well as afterwards, to the jurisdiction of the states within which they lie.

We are aware, that the treaty-making power may affect this branch of the inquiry. Treaties have been formed by the United States with most of the Indian tribes, and it is now too late to call in question their obligation, or the power of the government to conclude them; although it is difficult to point to any provision of the Constitution, which expressly or necessarily grants this power. The practice had prevailed under the Confederation, where the grant of power, relating to the Indians, was more comprehensive than in the Constitution. Instead of regulating commerce only, it conferred upon Congress the power of 'regulating the trade and management of *all affairs* with the Indians, not members of any of the states, provided that the legislative right of any state within its own limits be not injured or violated.'

And this practice was probably continued by the new government, from a conviction of its utility, and from the relations of peace and war, which were allowed to exist between the United States and the Indian tribes. It is another of the anomalies, of which the general subject is so fruitful. If it

were a question now to be agitated for the first time, the decision would probably be adverse to the exercise of the power. But we consider it as settled by this practical exposition, and that all the rights, secured to the Indians by these treaties, are beyond the reach of any difference of opinion, which may exist among ourselves, concerning the relative power of the various parties to our government. And if, in these compacts, any pledge has been given, that the Indians shall be exempt from the legislative authority of the states within which they live, we have only to submit to an improvident stipulation, and leave them free, whatever be the consequences. But such an assurance cannot be found. The possession of their lands is guarantied to them, and this guarantee the President has avowed his determination to respect. It will be, we have no doubt, respected by the state governments.

We have cursorily examined the statutes of Rhode Island, Connecticut, New York, Pennsylvania, and Virginia, and in each of these we find laws passed to restrain or protect the Indians, founded upon the general sovereignty of the states, and upon their assumption of jurisdiction over these persons and their property. Such laws may exist in all the states. We have not been able to extend the inquiry farther.

This question of jurisdiction over the Indian tribes is now, for the first time, seriously agitated. Heretofore, no one among them, or for them, has denied the obligation of any law passed to protect or restrain them. But new circumstances have intervened, and new pretensions are advanced. A government *de facto* has been organized within the limits of the state of Georgia, claiming legislative, executive, and judicial powers, and all the essential *attributes of sovereignty*, independent of that state.

The establishment of this government, thus claiming to be independent, and the probability, that a similar policy will be adopted by the other southern tribes, by which means they may become permanently established in their present possessions, necessarily presents to the states, within whose limits they reside, a serious question for consideration. It is evident, that if this pretension be not resisted now, resistance hereafter will be in vain. It is one of those questions, eminently practical, which a few years' acquiescence would settle. What might now be the assertion of a just and proper jurisdiction by the civilized communities, might then be an unjust claim, to be enforced only by war and conquest.

We have already expressed our convictions, founded on some knowledge of the Indian character, and of the efforts which have been formerly and recently made to change their condition and institutions, that so long as they retain positions surrounded by our citizens, these efforts will be unproductive, and that the Indians themselves will decline in numbers, morals, and happiness. If 'these things are so,' no just views of policy or humanity, require on their part the assertion of such a right, or the acknowledgment of it on ours. A false conception of their own interest, or a temporary excitement, which may have operated on some of their influential men, and led to the present state of things, ought not to affect our views or decision. This demand is now made, for the first time, since the discovery of the continent. Writers upon natural law, courts of high character and jurisdiction, the practice of other nations, are all adverse to it. We can discern no advantages which either party can reasonably anticipate from such a measure.

There can be none to the Indians; for if they are anxious and prepared for a stable government, which shall protect all and encourage all, such governments they will find in the states where they reside. What has a Cherokee to fear from the operation of the laws of Georgia? If he has advanced in knowledge and improvement, as many sanguine persons believe and represent, he will find these laws more just, better administered, and far more equal in their operation, than the *regulations* which the chiefs have established and are enforcing. What Indian has ever been injured by the laws of any state? We ask the question without any fear of the answer. If these Indians are too ignorant and barbarous to submit to the state laws, or duly estimate their value, they are too ignorant and barbarous to establish and maintain a government which shall protect its own citizens, and preserve the necessary relations and intercourse with its neighbors. And if there are any serious practical objection to the operation of these laws, growing out of the state of society among the Indians, it would be easy for the state authorities to make such changes and interpose such securities as would protect them now, and lead them hereafter, if anything can lead them, to a full participation in political rights.

New York has acted upon this principle, in authorizing the Brothertown Indians to hold town meetings and elect town

officers. No doubt can exist of the disposition of the state legislatures thus to accommodate their laws to the actual condition of the Indians. And in fact it is the criminal and not the civil code, from which they have anything to fear. The former extends to them all, and at all times, and in its process, its prohibitions, and its punishments, introduces regulations utterly at variance with all they have seen, or heard, or believed. The rights and remedies, secured and provided by the civil code, would affect them less, as they have little for them to operate upon, and the obligation of a promise is not wholly unknown to them. But the experiment has already been made, in many of the states, of extending over them the action of the criminal laws, and, as we have seen, the general government has done the same, through the whole vast extent of the Indian country, however rude or barbarous may be the tribes inhabiting it, in all cases where an injury has been committed against a white man. We have yet to learn, that any injustice has resulted from this legislation.

But if it is difficult to perceive the advantages which the Indian tribes would derive from these independent governments, it is not difficult to foresee the mischiefs they would produce to the states and people, within whose limits they might be formed.

The progress of improvement would be checked. Extensive tracts of land would be held by the Indians in a state of nature. The continuity of settlements, and the communication between them, would be interrupted. Fugitives from labor and justice would seek shelter, and sometimes find it, in these little sovereignties. Questions of conflicting jurisdiction would frequently occur, not easy to be determined; for in vain might we search for principle, analogy, or precedent, by which to adjust them. There is already enough of the *imperium in imperio* in our government. Another wheel is not wanted, to render the machinery still more complicated. In the whole extent of Christendom, can a single instance be produced, where a state has voluntarily permitted, within its acknowledged boundaries, the establishment of a government, independent of, and unconnected with its own? Faithless to themselves would be those states interested in this subject, and regardless of their duties of 'self-preservation,' which, Vattel says, are obligatory upon all nations, were they to assent expressly, or by implication, to these demands.

But in the firm assertion of their rights, it becomes them cautiously and tenderly to approach this subject. The character of our country is involved in it. Many excellent men believe, that the Indians have advanced, and are advancing in knowledge and improvement, and that they have both the right and ability to reorganize their political institutions, and assume a station which shall be coequal with the state governments. Erroneous as such an opinion is, both in principle and policy, still something is due to the feelings and motives of those who entertain it. In the practical assertion of jurisdiction, which circumstances now require some of the state governments to make, their authorities will no doubt accommodate their measures to the helpless, defenceless, and sometimes, we fear, hopeless condition of the Indians; taking care that such checks and limitations are imposed, as their ignorance and the superior intelligence of the whites may render necessary.

Impressed with the conviction, that a removal from their present position and from the vicinity of our settlements, to the regions beyond the Mississippi, can alone preserve from final extinction the remnant of our aboriginal population, a number of benevolent men have associated themselves, and established a society under the appellation of 'The Indian Board, for the Emigration, Preservation, and Improvement of the Aborigines of America,' the objects of which are distinctly indicated by this title. The Society avows its intention to 'afford to the emigrant Indians all the necessary instruction in the arts of life and the duties of religion,' and pledges itself 'to coöperate with the federal government of the United States in its operations on Indian affairs, and at no time to contravene its laws.' The constitution and first proceedings of the society are contained in the pamphlet named at the head of this article; and the same pamphlet contains also an address from Colonel McKenney to the Society, and a letter from that gentleman to Mr Evarts, in both of which the general subject of Indian emigration is considered, and in the latter the peculiar circumstances of the Southern tribes are stated and explained.

Colonel McKenney's investigations into the condition of the Indians, and into the causes which have obstructed their advancement in civilization and religion, and have counteracted our efforts to improve them, are just and striking, and evince an intimate knowledge of their character and disposition.

'Need I stop to demonstrate,' he observes, 'how utterly impracticable it is, to remodel the Indian character, and fashion it after the civilized form, situated as those tribes are within our states? Where is the example of a single transformation in a tribe, of this sort? I know of not one. But I know of many, in which, even amidst efforts the most untiring, the Indians have (although individuals have profited) disappeared; until, now, many of our states, that once swarmed with an Indian population, contain not a vestige of one. Whence comes this decay and final disappearing of the red before the white man? It comes not of the color, nor of physical nor moral malformation, nor of destiny, —but from causes the most natural, which a change in our relations to each other would work, even upon us. The elements may all be found to be in the intellectual, moral, political, and social relations which exist between them and us.'

In his Address to the society, Colonel McKenney takes a rapid glance at the efforts which have been made to meliorate the condition of the Indians. He does justice to the ardent zeal and untiring labor of 'the Eliots, the Mayhews, and Brainerds, and Kirklands,' and all who, before our day and in our day, have devoted themselves or their treasure to this holy work. He also does justice to the result of these efforts, when he describes them as unavailing and unproductive; having no permanent effect, and leaving no permanent memorial. His analysis of the moral and physical obstacles which have prevented success, corresponds with the view we have already presented. They are found in the recesses of the human heart, and in the external circumstances which have moulded the character of the Indian, and taught him to walk through his own world of forest and game, satisfied with himself, and dreading no evil but a change in his condition. The following considerations are stated with fairness and candor.

'That men, and good men, should differ in their views of what ought to be done for the preservation and improvement of our Indians, is natural. We know there are men, and good men, who are opposed to the emigration of the Indians. We respect them and their motives. They seek to save and civilize these people. We profess to aim at the accomplishment of the same end, and differ only as to the mode. We once entertained similar views of this question with them, and thought it practicable to preserve and elevate the character of our Indians, even in their present anomalous relations to the states, but it was "distance that lent

enchantment to the view." We have since seen for ourselves, and that which before looked like flying clouds, we found, on a nearer approach, to be impassable mountains. We believe, if the Indians do not emigrate, and fly the causes which are fixed in themselves, and which have proved so destructive in the past, *they must perish.* We might distrust our own conclusions, though derived from personal investigation, did not experience confirm them. But alas! it is the admonition of experience, more than anything else, that claims and urges us to employ all honorable means to persuade these hapless people to acquiesce in the policy which is proposed to them.'

Colonel McKenney discloses some important facts, which would justify the interposition of the government to secure to individuals in the various tribes, disposed to emigrate, their own choice, unawed and uninfluenced.

'We esteem it to be our duty, on this occasion, to correct an error which has obtained in regard to this business of emigration. It seems to be thought by some, that the Indians are opposed to removal, and that force is meditated to be employed to compel them to go. In regard to the disposition of the *great body* of the Indians within our states, we speak advisedly when we say, they are *anxious to remove.* The present excitement is occasioned, in great part, by the opposition of those persons, whose interest it is to keep the Indians where they are. Protection has actually been sought of the government by those who wish to better their destiny, against the threats of others, in which an enrolment for emigration has been forbidden on pain of death. This may be received as the real state of the case, obtained in good part by us on personal opportunities, and from official information, confirming our observation and experience. In regard to the employment of force, to drive the Indians from the country they inhabit, so far from this being correct, they have been told by the Executive, in one of the documents read to you to-night, that if they choose to remain, they shall be protected in all their rights.'

The plan for their removal, establishment, and gradual improvement, sketched by Colonel McKenney, is just to ourselves, and liberal to them; offering a fair exchange of property, insuring present subsistence and future support, and holding out rational prospects of melioration in their external circumstances and their moral relations.

'It is proposed in the first place to give them a country, and to secure it to them by the most ample and solemn sanctions, suitable in all respects, in exchange for theirs; to pay them for all their improvements, and see them, free of cost, to their new

homes; to aid them after their arrival, and protect them; to put over them at once the frame-work of a government, and to fill this up, as their advancement in civilization may require it; to establish schools over their country, for the enlightening of the rising generation, and give them the gospel. In fine, it is proposed to place them in a territorial relation to us in all respects, and in the enjoyment of all the privileges consequent upon such a relation, civil, political, and religious. Thus will they attain an elevation to which, in their present relations, they can never aspire. And then would new influences be created, ennobling in their tendencies, and animating in their effects. Under these the Indian would rise to the distinction to which he has always been a stranger, and live and act, with reference to the corresponding honors and benefits of such a state.'

Those who have regarded with deep interest the condition of the Indians, and who doubt the issue of any attempt to save them upon their present reservations, have looked with much anxiety to the country west of the states and territories beyond the Mississippi, for a land of refuge, where this unhappy race may find rest and safety. Their misfortunes have been the consequence of a state of things which could not be controlled by them or us. Planted, as our ancestors were, in the course of Providence, upon the skirts of a boundless forest, they gradually subdued it by toil and industry. Year after year, the cultivated border advanced, bearing before it the primitive people, who would not mingle with their invaders, and who could not stop their progress. The decree had gone forth, that the race of pale men should *increase and multiply*, and they did *increase and multiply*. Who, that looks upon human life as it is, could expect, that superiority in arts, in arms, in intelligence, in all the elements of physical and moral power, would not elevate the one party and depress the other; and that this elevation and depression, rendered still more obvious by characteristic differences, could not produce the results which history has recorded? And who, under such circumstances, would impeach the motives or conduct of the adventurers or their descendants, because the people, who preceded them, disappeared or receded before the circle of civilization? Not the nations of Christendom, for they sent out their colonies to take possession of the new-found world, and to supplant its primitive inhabitants. Not the government or people of England, for their sovereigns assumed jurisdiction over immense regions, and granted them by their charters, encouraging

them in peace, protecting them in war, and extending their sway, without any regard to the imperfect right given by their mode of life to the Indians. Not the jurist, who deduces from maxims of natural law the duty of reclaiming and cultivating the earth. Not the practical politician, who surveys the principles and progress of society, satisfied with their operation, and with the circumstances which control it. The testimony of Vattel is too honorable to the character of the first occupants of our country to be withheld. 'People have not then deviated from the views of nature, in confining the Indians within narrower limits. However, we cannot help praising the moderation of the English Puritans, who first settled in New England [and he might have added, the first settlers of the other colonies], who, notwithstanding their being furnished with a charter from their sovereign, purchased of the Indians the lands they resolved to cultivate. This laudable example was followed by Mr William Penn, who planted the colony of Quakers in Pennsylvania.' *

For many years after the first settlement of the country, the colonists were engaged in the duty of self-preservation, and they had neither leisure nor inclination coolly to examine the condition of the Indians, and investigate the causes of their degradation, and the mode by which they might be counteracted. And when they began to survey the subject, the facts were not before them, as they are before us. That the Indians were borne back by the flowing tide, was evident; but that this tide would become a deluge, spreading over the whole country, and covering the summits of the loftiest mountains, could not be foreseen, and was not anticipated. Nor was it known, that these people were incapable of permanent improvement, upon fixed reservations, within the limits of the civilized country. The duty, therefore, of providing a residence for them, where they could say to this ocean, heretofore as irresistible as the great deep itself, 'Thus far shalt thou come, but no farther,' neither the government nor the people understood. The infant communities became powerful colonies; the colonies, independent states, and these states a great empire. Their boundaries were established, and their jurisdiction was granted or assumed. New territories, and eventually new states, were formed, each looking to its own political advance-

* Vattel, Book i. Chapter 18.

ment, and to the extension of population and cultivation over its dominion, with an anxiety as natural and salutary, as that which impels individuals onwards in the strife for wealth and influence. And now, when we begin to suspect, that the white man and the red man cannot live together, we find no country where we can plant, and nourish, and protect those children of misfortune, until we pass the farthest limits of the governments formed beyond the Mississippi. There is a region belonging to the United States, admirably adapted to the situation and habits of the Indians, where no state authorities have, or can have jurisdiction, and where no attempt will be made to disturb or molest them. Because no permanent barrier has heretofore been raised between them and us, let it not be supposed, that a country, occupied by them and guarantied to them, upon the Red river and the Arkansas, would not secure them from future demands. There would be neither local government nor people to urge the extinction of their title. No claim could be interposed to conflict with theirs. And if, in the course of ages, our population should press upon that barrier, it would be after the Indians had acquired new habits, which would cause our intercourse to be without danger to them and without pain to us, or after they had yielded to their fate and passed the Rocky Mountains, or disappeared. These are events too remote to influence any just view of this subject.

In 1825, Mr Monroe, then President of the United States, submitted to Congress his own views and those of Mr Calhoun, then Secretary of War, on the condition and prospects of the Indians, with a plan for their transmigration and for their permanent settlement in a new region. These eminent statesmen, in looking back upon the history, progress, and consequences of our intercourse with them, could discover no prospect of their preservation and improvement but in a retreat beyond a fixed and stationary boundary, where they might be relieved from that ceaseless pressure, which, like an incubus, paralyzes their exertions, and where our citizens could neither mingle with, nor surround them. 'Under the operation of existing causes,' says Mr Calhoun, 'they behold the certain degradation, misery, and even final annihilation of their race, and no doubt would gladly embrace any arrangement which would promise to elevate them in the scale of civilization, and arrest the destruction which now awaits them.' Mr Monroe is equally

decided in the avowal of his opinion. 'Experience,' he says, 'has clearly demonstrated, that, in their present state, it is impossible to incorporate them, in such masses, in any form whatever, into our system. It has also demonstrated, with equal certainty, that without a timely anticipation of, and provision against, the dangers to which they are exposed, under causes which it will be difficult, if not impossible to control, their degradation and extermination will be inevitable.'

The plan, thus enforced, and ably supported and illustrated, has been so long before the public, and is so well known, that we shall merely state its outlines; referring such of our readers as feel interested in the subject, and are ignorant of its details, to these valuable state-papers, equally conspicuous for the soundness of their views and for the spirit of humanity in which they are conceived.

Briefly then, it was proposed, that negotiations should be opened with the various tribes east of the Mississippi, for the purpose of explaining to them the views of the government, and procuring their assent to a removal west of that river; that ample means should be provided for their support, both on the journey and during a reasonable period after their arrival in their new country; that a sufficient extent of suitable territory should be assigned and guarantied to them; that a government should be provided for them, to the administration of which they should be admitted, as soon as they were fitted, from time to time, for that duty, by education and habits; and that a system of education, looking to their eventual emancipation from the thraldom of their ignorance and prejudices, and their participation in the advantages of civilization and religion, should be adopted and vigorously supported.

Nothing can evince more strongly the tender caution with which Congress approaches the subject of our Indian relations, than the delay which even the consideration of this project has encountered. Five years have elapsed, since, by an executive Message, it was spread before the national legislature and the country, and it has not yet been formally considered. Were we justly liable to the serious charges which have gone forth against us in some of the foreign journals, of indifference to the situation of the Indians, and of a desire to oppress them, the subject would long since have been disposed of. But it is because we are not indifferent, and because, we say it in a spirit of submission to the feelings of others, a false humanity

has led us to postpone taking those decided measures which, the experience of every year proves more and more, can alone meet the exigencies of the case, and rescue the Indians from inevitable destruction. We have ourselves felt doubts upon this interesting subject, and we felt them when this project was first conceived and communicated. But they have gradually given way before the experiments we have seen, and before the imposing circumstances which have gathered and are gathering around this controversy.

Again we have the sanction of an executive recommendation of the same measure, supported in like manner by the views and illustrations of the present Secretary of War. To the duties and high responsibility of Mr Monroe, the President adds an intimate knowledge of the Indians, of their habits, character, and condition, acquired during many years' intercourse with them, while ably and faithfully serving his country in high civil and military stations. The opinions of such a man, given under such circumstances, are entitled to great consideration.

On one point only has he proceeded farther than Mr Monroe, and that is, in the unequivocal avowal of his opinion, that the states can extend their jurisdiction over all persons living within their boundaries, and an explicit declaration, that the Indians will not be supported by the United States in any efforts to resist this procedure. And who does not see, that the time has arrived, when this question must be fairly met? The interval, which has elapsed since the promulgation of Mr Monroe's views, has been pregnant with events deeply interesting to the parties, whose relative rights and duties are involved in this controversy. The Cherokee government is acquiring the sanction of time, and their claim has assumed a definite shape. The laws of Georgia will operate upon them on the thirtieth of June next, and their chiefs have formally appealed to the general government for protection against this measure, urging their claim to be independent of that state, and affirming, that this act is to be viewed 'in no other light, than a wanton usurpation of power, guarantied to no state, neither by the common law of the land, nor by the laws of nature.'

It was necessary that this appeal should be answered. And it has been answered, as we have seen, in a spirit of just regard to the Indians and to the rights of a member of the confederacy. And what rational man could expect any other an-

swer? Is the general government to interpose the arm of power between the state of Georgia or Alabama, and the assertion of rights essential to their 'attributes of sovereignty?' A President of the United States would assume a fearful responsibility, who should thus employ the force of the Union. It would be presumptuous to say, that such a case can never occur. But we may safely predict, that when it does come, it will shake the confederacy to its centre, and that a foreign war would be light in the balance, compared with such a fearful calamity. And who does not see, that in this contest for sovereignty, the uncivilized tribes must yield? Do not truth and humanity equally require the declaration of this fact? There is no mercy in suffering these Indians to believe, that their pretensions can be established and their independent government supported. In the actual state of the world, none but an enthusiast can expect or hope for the success of such a scheme. We have long passed the period of abstract rights. Political questions are complicated in their relations, involving considerations of expediency and authority, as well as of natural justice. If the laws of the various states, founded essentially upon the English common law, modified by our peculiar circumstances, and administered in a spirit of fidelity and impartiality, which even in this land of violent political feuds, has left the judiciary without suspicion, excite the apprehensions of the Indians, and if they are anxious to escape from their operation and establish governments for themselves, ample provision has been made for their gratification. A region is open to them, where they and their descendants can be secured in the enjoyment of every privilege which they may be capable of estimating and enjoying. If they choose to remain where they now are, they will be protected in the possession of their land and other property, and be subject, as our citizens are, to the operation of just and wholesome laws.

We cannot enter into a full examination of the effect of planting colonies of Indians in the Western regions. From the retrospective view furnished by their history, it is evidently the only means in our power or in theirs, which offers any probability of preserving them from utter extinction. As a *dernier resort* therefore, apart from the intrinsic merits of the scheme itself, it has every claim to a fair experiment. But when viewed in connexion with the peculiar notions and mode of life of the Indians, the prospect it offers is consolatory to every

reflecting person. Upon this subject we shall adduce the opinion of an able and dispassionate laborer in the great field of aboriginal improvement. The reverend Mr McCoy has for many years devoted himself with an industry, equalled only by his zeal and disinterestedness, to the life and labor of a missionary. Ten years since, he commenced a school for the instruction of youth, at Fort Wayne in Indiana, but the progress of the settlements soon compelled him to retire, and he removed his establishment to the St Joseph of Lake Michigan. He here founded an institution for the benefit of the Indians, and adopted a course of procedure well calculated to be permanently beneficial to them. The youths were taught reading, writing, and arithmetic, and also agriculture, the mechanic arts, and domestic duties. Their mental discipline, moral advancement, and progress in the business and occupations of life, went on together. The principal and his coadjutors were indefatigable in their application, and sanguine in their expectations, and for a time everything promised success. And we ourselves, from a personal examination of the establishment, augured favorably of its permanence and usefulness. We have never seen a similar institution managed with more purity or judgment. But the novelty soon wore off, the Indians became dissatisfied, the institution has declined, and Mr McCoy is convinced, that nothing but removal, and speedy and entire removal, can save from utter ruin those who have been taught, or those who are untaught. During the year 1828, he repaired to the country west of the Mississippi, to examine its adaptation to the purposes of the Indians, and has returned, satisfied with the prospect it offers. He is now directing his efforts to procure their emigration. Such a man has a right to speak upon this subject, and we shall quote some passages from an interesting pamphlet he has published.

'You have your missionaries at Gayhead, Stockbridge, Brothertown, Oneida, among the Tuscaroras, Tonnewantas, Senecas, Wyandots, Ottawas, Potawatamies, Miamies, &c.; but the most they can do in the present posture of affairs, is to soften, as it were, the pillow of the dying. They have been instrumental in benefiting a few; nevertheless, in a national point of view, all these tribes, as well as others near at hand, west of Lake Michigan and west of the Mississippi river, continue to dwindle,—they are positively perishing, and perishing rapidly.

'Through the instrumentality of your missionaries, some of

the natives, no doubt, have become pious, and have gone, or will go, to a better country in the heavens, where their condition will be ordered by principles, very different from those which have governed the conduct of men towards them while upon earth. A few have acquired some knowledge of letters and of labor; so far, this is well. But let none imagine, that these tribes and many others are, as tribes, improving their condition generally. I say it without fear of contradiction, that their condition is becoming more and more miserable every year. I repeat it,—*they are positively perishing.*'

'It is a lamentable truth, that the evil [the use of ardent spirits] increases annually, and occasions a fearful waste of human life. As a specimen, take the following. In the fall and winter of 1825—6, in the neighborhood of the Carey Missionary Station, near Lake Michigan, twenty-five Indians were either directly murdered by the hands of their own people, or otherwise *lost their lives by drunkenness.*'

'I took the liberty, not long since, of suggesting, that the condition of these small bands, who are on little reservations in New England, New York, and Ohio, surrounded by white population, is worse than that of those who have more latitude on our frontier. It is probable they may be more plentifully supplied with food and raiment, but I have no hesitation in repeating, that their numbers decrease faster than those of the other tribes; and that they are more debased in principle, and positively more worthless, than those with whom I am comparing them. This sentiment is the result of my own personal observation, as well as of the concurrent testimony of the most authentic information.'

'But we say, that their depravity and sufferings have been increased by our proximity to them, and their hopes cut off by our policy. They are too deeply sunk in the mire, to be able to extricate themselves. It therefore rests with us to say, whether they shall be left to perish, or whether they can be or shall be "taken out of the horrible pit and miry clay, and set upon a rock, and their goings established,"—or rather, they established in a home which they can call *their own.*'

'But let the policy of our government, in relation to them, continue as it has been and as it now is, and with the exception of the Cherokees* and their immediate neighbors, I know of no tribe, nor part of a tribe, no, not one, within, or near to all the frontiers of Arkansas, Missouri, Illinois, Indiana, Michigan, or

* Mr McCoy is ignorant of the actual state of things among the Cherokees, and of the utter poverty and misery, and we may add, oppression, of the great body of these people.

Ohio, not one of those bands on small reservations in New York or New England, of whom we can indulge any better hope than that of their total extermination. Even over those, whom we have excepted above, a gloomy cloud is gathering, of which we shall speak hereafter.

'I fear the public are not fully aware of this fact, especially the Christian public, who would more especially shudder at the thought, and who have been hoping for better things. I fear too, that missionaries are sometimes afraid to tell the worst part of the story, lest the benevolent societies and individuals, who patronize the missions, should become discouraged, and decline the undertaking. I know that there cannot exist with them any sinister motive to such a forbearance, because their labors, the labors of their whole lives, are gratuitously devoted to this enterprise. But they have been eye-witnesses of Indian wickedness and sufferings. They have heard fathers begging them to have mercy on them and their offspring, and entreating them not to forsake them; they have seen the mother digging roots for her children, and have beheld the emaciated frames of those who, in winter, had lived weeks upon acorns only, or who, in summer, had fed for days upon boiled weeds alone. They have heard the cries of children suffering with hunger, and seen the frozen limb of the half naked sufferer.'

Although we do not coincide with Mr McCoy in all the opinions advanced by him, particularly in his views of some of the more prominent obstacles which have impeded, or rather prevented, the progress of the Indians in civilization and improvement, yet in his general statement of their condition, and the utter failure of our hopes and efforts, we unite our testimony with his; as we do also, when he urges the necessity of removal, of speedy and entire removal, if a remnant of this race is to be saved. Mr McCoy, from personal observation, describes the country west of Missouri and Arkansas, as suitable for the colonization and permanent residence of the Indians. 'This country,' he says, 'is generally high, healthy, rich, its extent adequate to the purposes under consideration, and the climate desirable.' He approves the general plan originally submitted by Mr Monroe and Mr Calhoun, and recommended anew by the present Executive and the Secretary of War, of removing, with their own consent, the various tribes to that region, and establishing over them such a government as will protect, and restrain, and improve them. The details of such a plan he considers at length, obviating the objections which may be urged against it, and stating and explaining the

considerations immediately or remotely favorable to its adoption. The length of our article already warns us, that we have neither time nor space to devote to this branch of the subject. And it is the less necessary, because the first object is to satisfy the country, the government, and the Indians, that this great measure of removal is the only remedy for the evils which we have depicted. And if the conviction of its importance should lead to its adoption, and to the voluntary acquiescence of the Indians, it would be easy to regulate hereafter the practical details of the subject, and to accommodate them to the progress and prospects of the migrating colonists and of the permanent settlements formed by them.

We have been led, in the preceding discussion, to a general consideration of the complicated relations, subsisting between the United States in their federative and their individual characters, and the various Indian tribes which yet survive to demand their care and protection. We trust that our sentiments upon one branch of this subject will not be misunderstood. In asserting the ultimate title of the general or state governments to the land lying within their respective jurisdictions and occupied by the Indians, we interpose no claim to the possession, without their free consent. And for all useful purposes, this is the only interest they can enjoy; particularly as their right of disposal is restricted to a sale to the proper government, or to those to whom the right of purchase has been assigned. We have presented our views and illustrations of this subject, not because the Indians can be practically affected by it, but because it involves interesting considerations, both historical and juridical, and meets the objections of speculative writers who maintain the absolute title of the Indians, and seem disposed to carry this claim to its legitimate consequences; to the right of conveyance, whensoever and howsoever they may feel disposed to exercise it.

Since our first intercourse with the aborigines, they have generally been ready to cede this possessory interest, as fast as it was required by our advancing settlements. Had it been otherwise, and had they been determined to retain extensive regions, out of all proportion to their numbers and wants, our ancestors would have been driven to a practical recognition of the doctrine asserted by the elementary writers, and taken such districts as were necessary for the relief of a superabundant population. It is not now probable, that this question can

ever present itself for actual solution. But there is another, the consideration of which is perhaps much nearer, and which we may soon be required to discuss and decide. That a considerable portion of the Southern tribes has been restrained by fear from acceding to the propositions for a cession and emigration, is evident from the statement made by Colonel McKenney, already quoted, from the murder of McIntosh, from some sanguinary regulations which the men of influence have adopted, and from many circumstances that have found their way to the public. In the civil polity of the Cherokees, and, we believe, of the Creeks, as now established, there seems to be a severalty of property among themselves, regulated we know not how, and a community of property with respect to the federal and state governments. Cessions can only be made in a pre-established manner; and the principles of Draco are revived in these little communities, by the terrible punishments annexed to a violation of this regulation, which will no doubt be enforced with as little compunction as it has been prescribed. But why should a community of property be allowed for this purpose and for no other? Why should not a part of the population be permitted to cede their interest to the government, and receive an equivalent in other regions, where they may anticipate a comfortable support and a permanent establishment? Must they be anchored to a soil which they are desirous of leaving, and where they are poor and depressed, because a few powerful chiefs choose to be surrounded by abject dependents, rather than be brought into contact with our citizens, and subjected to the operation of just and equal laws? We state the case plainly, as we are satisfied the truth demands. Let the son of the Big Warrior enjoy in peace and security the six-score slaves and the fifty thousand dollars, he is reported to have inherited from his father; and let the other chiefs, both among the Creeks and Cherokees, whom it would be invidious to mention, possess in like manner the property they have acquired, whether in money, in slaves, or in valuable improvements. But let those, who have not been and cannot be thus fortunate, go to the Western regions, if they desire to go; not in abject poverty, suffering and dying on the way, but after having yielded their interest in their ancient possessions for a valuable consideration, and obtained another in their new; and obtained also the means of subsistence on the route, and after their arrival and permanent establishment.

Let the right thus acquired by the government, and the right remaining to those who choose to stay behind, be equitably divided. There would be no difficulty in a partition upon just principles. If one moiety be prepared to go, let a moiety of the land be assigned to the State or the United States; and if one fourth, let a fourth be assigned; and if only one man is anxious to change his residence and attempt to meliorate his condition, for ourselves we can see no objection to the purchase of his interest, and to its partition from the general stock, whenever the government may deem such a measure expedient.

It is idle to meet this proposition by the assertion, that the Cherokee or other Indian authorities have prohibited this course of procedure, and would visit it with the punishment of death, and that they have a right to enforce their own regulations in their own way. In the actual state of things, they have no such right. The attempt itself is an omen unfavorable to their future prosperity. If their first essay in the science of government is to sink a tomakawk into the heads of all their people who may endeavor to relinquish their present possessions, and migrate where they can acquire others, which may, or may be supposed to be, better, it is time that the paramount authority should interfere and abolish institutions thus written in blood. The mode of acquiring the possessory right of the Indians is a question of expediency and not of principle. Far be it from us to advocate any proposition, which would divest them unjustly of the smallest interest, to which they are entitled. But we propose that their interest should be rendered more secure and more valuable, by assigning to every one, a separate share, and the power to retain or to cede it; and this might essentially aid the whole and could injure none. It would insure to each a just compensation, and would put an end to that system of gratuities and annuities, which all, who have eyes to see and ears to hear, must be sensible, has been so grossly abused by many of the chiefs of the southern tribes, and has rendered them rich and their countrymen poor. And it would put an end to influence unjustly acquired and unjustly exerted.

This view is distinctly stated by Mr Jefferson in his talk to the Cherokees in 1809. 'When this party shall have found a tract of country suiting to the emigrants and not claimed by other Indians, we will arrange, with you and them, the exchange

of that for a just portion of the country they leave, and *to a part of which, proportioned to their numbers, they have a right.*' And in the treaty concluded at the Cherokee agency, July 8, 1817, this principle of a division of the community and a partition of the land, was substantially adopted, and a provision made for its practical application and adjustment. The assent of the whole tribe was given to that measure. But if that assent is now withheld whenever any of their people are desirous of passing over the Mississippi, the freedom of choice and action should be assured to them, and their interest fairly purchased, and equitably separated from the common stock.

But after all, it cannot be denied and ought not to be concealed, that in this transplantation from the soil of their ancestors to the plains of the Mississippi, some mental and corporeal sufferings await the emigrants. These are inseparable from the measure itself. But by an appropriation liberally made, and prudently applied, the journey may be rendered as easy for them, as for an equal number of our own people. By a continuation of the same liberality, arrangements may be made for their comfortable support, after their arrival in the land of refuge, and until they can accommodate themselves to the circumstances of their situation; until they can secure from the earth or the forests, the means of subsistence, as they may devote themselves to the pursuits of agriculture or of the chase.

The amount of the expenditure necessary for their migration and establishment is not a subject for serious consideration. All should be given, and all no doubt will be given, that can be reasonably employed in their comfortable support. It is not a question of profit or loss, but a great question of national policy, involving the rights and feelings of those, from whom we have obtained much, and for whom we have done little.

Providence, for wise purposes, has given to us, in common, principles of association which bind us together and connect us with the land of our birth, and with those who have inhabited it before us. These associations of time and place belong to the human family. 'Bury me not, I pray thee, in Egypt,' said the Patriarch who had gone down to live and die with his son; 'but I will lie with my fathers, and thou shalt carry me out of Egypt and bury me in their burying-place.' And from the earliest migration of a community recorded in profane history, to the latest that has occurred in our own day,—from the going

forth of the remnant of Troy, to the abandonment of Parga, when her whole people went out houseless and homeless, leaving the waning crescent to glimmer over a deserted region,—the feelings of the exiles have been expressed by the Trojan leader;

> 'Litora tum patriæ lacrymans portusque relinquo,
> Et campos ubi Troja fuit.'

Although the Indians are migratory in their habits, yet their local attachments are strong and enduring. *The sepulchres of their fathers* are as dear to them, as they ever were to the nations of the East. Those ties have bound them to their native regions longer and stronger than any other or all other considerations. Now, when the time of severance has approached, we owe it to them, to ourselves, to the opinion of the world, that the process should be conducted with kindness, with liberality, and above all, with patience. The assurance of the Secretary of War 'that nothing of a compulsory course to effect the removal of this unfortunate race of people has ever been thought of by the President, although it has been so asserted,' is honorable to the government, and consolatory to those who are looking with most solicitude to the condition of the Indians. The intimation of the Secretary that the object of the President was 'to explain fully to them, and to the country, the actual ground on which it was believed they were rightly entitled to stand,' is equally in accordance with justice, policy, and the public feeling.

This is the course we had a right to expect, and to which there can be no just objection. Let the whole subject be fully explained to the Indians. Let them know that the establishment of an independent government is a hopeless project; which cannot be permitted, and which, if it could be permitted, would lead to their inevitable ruin. Let the offer of a new country be made to them, with ample means to reach it and to subsist in it, with ample security for its peaceful and perpetual possession, and with a pledge, in the words of the Secretary of War, 'that the most enlarged and generous efforts, by the government, will be made to improve their minds, better their condition, and aid them in their efforts of self-government.' Let them distinctly understand, that those who are not disposed to remove, but wish to remain and submit to our laws, will, as the President has told the Creeks, 'have land laid off for them and their families, in fee.' When all this is done, no

consequences can affect the character of the government, or occasion regret to the nation. The Indians would go, and go speedily and with satisfaction. A few perhaps might linger around the site of their council-fires; but almost as soon as the patents could be issued to redeem the pledge made to them, they, would dispose of their possessions and rejoin their countrymen. And even should these prefer ancient associations to future prospects, and finally melt away before our people and institutions, the result must be attributed to causes, which we can neither stay nor control. If a paternal authority is exercised over the aboriginal colonies, and just principles of communication with them, and of intercommunication among them, are established and enforced, we may hope to see that improvement in their condition, for which we have so long and so vainly looked.

ART. IV.—*An Historical and Statistical Account of Nova-Scotia, in two Volumes, illustrated by a Map of the Province, and several Engravings.* By THOMAS C. HALIBURTON, Barrister at Law, and Member of the House of Assembly of Nova-Scotia. Halifax. 1829. 8vo.

MR. HALIBURTON, the author of these volumes, we understand, is a citizen of Annapolis in Nova-Scotia, a young lawyer of respectability, and a member of the House of Assembly. He has given us a history and description of his native province, which not only do great credit to himself, and to Nova-Scotia, but will safely bear a comparison with any of the works of a similar kind, that have appeared in the United States. Making use of Mr Haliburton's work, and of some little knowledge derived from personal observation, we will proceed to lay before our readers a few particulars respecting that province.

The continent or mainland of North America was discovered by Sebastian Cabot. He first descried land on the twenty-fourth of June, 1497. There is reason to believe, that the point which he then made was a part of Nova-Scotia. More than seventy years, however, elapsed before any attention was paid by England to the discovered territory.

In 1578, Queen Elizabeth granted to Sir Humphrey Gilbert a patent for discovering, occupying, and peopling such portions of it as were not at that time possessed by Christian people. He sailed from England on the eleventh of June, 1583, and arrived at Newfoundland on the eleventh of July. He took formal possession of the whole country as the representative of the English sovereign. Sir Humphrey Gilbert set sail on his return during the month of August of the same year. The vessel in which he embarked foundered at sea, and every soul on board perished. In the year 1607, Sir John Gilbert, although far advanced in years, in prosecution of his brother's enterprise sailed for America. He arrived at the mouth of the Kennebec River; but his fate was equally disastrous with that of Sir Humphrey. Having commenced a settlement upon that river, he fell a victim to the severities of the succeeding winter. This melancholy event broke up the colony, and the people all returned to England entirely disheartened. The discovery by Cabot, the formal possession taken by Sir Humphrey Gilbert, and the actual residence of Sir John Gilbert, are the grounds upon which Great Britain places her original right to her North American possessions.

In the mean time the French had undertaken many voyages, for purposes of trade, to different parts of the coast; and in the year 1598, a formal attempt at colonization was made by them under the direction of the Marquis de la Roche. He attempted a settlement upon the Isle of Sable, which is thirty-five leagues from the main land, or from any other island. It is a dreary and solitary spot, far out in the ocean, barren and uninhabitable, covered with briers, sand hills, and small fresh-water ponds. Its length is thirty miles, and its breadth not more than one and a half. It presents the shape of a bow. It seems to answer no other purpose than to afford a sporting ground for seals, and other marine animals. It is covered with a race of exceedingly wild horses, and has heretofore been infested by large numbers of ferocious hogs, which are now, however, exterminated. This desolate reef of sand, has been the grave of innumerable mariners. The government of Nova-Scotia support a family upon it, and provide them with the means of affording the requisite aid and supplies to wrecked vessels and their unfortunate crews. This ocean-desert having been absurdly selected as its site, it followed of course that the colony of the Marquis de la Roche soon came to a miserable end.

In 1603 Monsieur de Monts was appointed by Henry the Fourth, governor general of the country. On the seventeenth of March, 1604, he sailed from Havre de Grace, accompanied by Champlain, afterwards celebrated as the founder of Quebec, be Poutrincourt, and by other gentlemen volunteers and adventurers. After having explored the outer shore of Nova-Scotia, they sailed up the Bay of Fundy; and entering a strait, found themselves enclosed in a spacious and beautiful bay. So delightful was the scene around them, that Poutrincourt determined to establish himself there; and having received a grant of it, he called it Port Royal.

It is not surprising that its first visiters were so much charmed by the aspect of this place. As the voyager is coasting along the bold and elevated shores of the southeastern side of the Bay of Fundy, he is suddenly brought to a narrow passage through which the tides rush with great violence and rapidity; the banks rising on either side, with almost a perpendicular ascent, to a mountainous height. In a few minutes he is swept through into a wide, calm, and sheltered bay, large enough, it would seem, to hold the navies of the world. The circuit of the horizon is traced on every side by ridges of mountains, richly wooded to the very summit; the lowland is spread out in wide prairies; and there is no visible outlet to the sea, the narrow strait being entirely concealed by the projecting hills and lofty forests. At the head of this noble harbor, the Annapolis River, after having flowed through an extended valley of uncommon beauty and amenity of aspect, and watered as rich a soil as any in this part of the continent, alternately pours itself forth in a rapid current with the retiring, or yields to the irresistible pressure of the advancing tide. Here, in 1605, was laid the foundation of the first permanent settlement in all British North America.

Under the name of Port Royal, this ancient town was the scene, for more than a hundred years, of the most interesting and romantic military adventures and vicissitudes. And now under the name of Annapolis Royal, two centuries and a quarter from its foundation, it presents, in its beautiful and expansive scenery; in its apparent seclusion from the world; in its historical recollections; in its ancient fortresses, its deep and verdant moat, and narrow draw-bridge, and mouldering batteries; in its rich and prosperous back country; in its peaceful tranquillity; and above all, in its amiable and intelligent

gent population, one of the most interesting villages in North America. It is probable that no place in the new world has passed through so many and so remarkable changes, as the little town of Annapolis. It was twice deserted by its inhabitants in the earliest years of its history; it has been invested by hostile forces ten times; five times had it surrendered to the prowess of the English, and again been restored to France, when by the treaty of 1713, it was finally ceded to Great Britain. It has repulsed five assaults; the Indians having invested it unsuccessfully three times, and the French twice.

Louisburg, so celebrated in American history, is within the limits of the Province of Nova-Scotia. It is memorable as having been the scene of two remarkable sieges; and its fortifications were so skilfully arranged, and combined great advantages of position with such formidable batteries, that it was for a long time considered as impregnable. It was reserved however for New-England troops, provincial and undisciplined, to remove this impression. It was an army from Massachusetts and the surrounding provinces, that first bid defiance to all its artillery and surmounted all its intrenchments; an army, as Mr Haliburton happily observes, composed of husbandmen and merchants, and pursuing its operations in conformity to a plan which was projected by a lawyer! The first reduction of Louisburg by the New-England yeomanry has justly been regarded as one of the most daring and brilliant military achievements on record. It was besieged again, some years afterwards, by a large army of British regulars and a powerful fleet, and was once more captured. Great skill and courage were displayed on this occasion also.

This place, so famous in the annals of colonial warfare, where the hardy inhabitants of New England prepared themselves, as in a school, for the gallant part which they were afterwards called to bear in the conquest of Quebec, and finally in the war of their own independence, is at present nearly destitute of inhabitants; a few fishermen pursue their humble calling on its banks, but its massive fortifications are all demolished, and its lofty towers are reduced to a level. There is a sublime and affecting contrast between the desolation, which now marks its unpeopled site, and the proud armies that once shone on its ramparts, and busy crowds that once thronged its streets; between the deep silence which broods over its unruffled harbor, and the thunders which were wont to burst along its bosom from embattled navies.

The most remarkable event in the history of Nova-Scotia is the seizure and transportation of the Acadians. The fortune of war had often thrown this province into the hands of the British, previous to its final surrender to them by treaty. Circumstances, however, of various kinds, had prevented its colonization by English people. The French were the first occupants, and had established themselves wherever an opening had been made into the wilderness; and the strong antipathy, incidental to the rivalry between these two nations, rendered the English reluctant to settle with the French, and the French unwilling to receive them. The Indian tribes had been made to sympathize with the French in their peculiar hostility to the English, so that it was extremely dangerous for any of the latter people to reside near them. It was accordingly found, when the country was finally ceded to Great Britain, that the inhabitants were mostly of French descent. As their countrymen gave the name of Acadia to the part of the continent where they resided, they were called Acadians. They spoke the French language, were Roman Catholics, and naturally entertained a strong affection towards the country, which had been the home of their fathers. After the cession of Nova-Scotia to England, they were required to take the oath of allegiance to their new sovereign or to quit the province. They agreed to take the oath, provided it was guarantied to them, that they never should be required to take up arms against their former country, France, or their ancient allies, the Indians. The governor of Nova-Scotia assured them that the condition which they demanded would be assented to; and accordingly they took the oath. The government in England, however, refused to sanction the assurance given them by the governor of the province, and peremptorily required that they should unconditionally take the oath. This they unanimously and invariably refused to do; and thus matters stood from year to year, for nearly half a century.

It so happened, that in the of wars the English with the French in Canada, or the Indians, many individuals of the Acadian population were found several times fighting with the latter; and although it is quite evident, that the great body of the Acadians were sincerely peaceable, and had endeavored to keep as much as possible aloof from all contention, yet it was very certain that their sympathies were

prone to direct themselves towards the enemies of the province, and it was well understood that the French missionaries were unwearied in using their influence over them, which was great, in opposition to the English. It is not at all surprising, therefore, that the officers of the British government regarded the presence of the Acadians as highly injurious to the peace, and dangerous to the safety, of the province; and although it was a strong measure, it is perhaps still the opinion of many, that they were authorized to decide, as they did, upon the expulsion of this unfortunate people from Nova-Scotia. But, let that be as it may, it was secretly determined to drive the whole Acadian population from the province; and, as their removal to Canada would only strengthen the power of the great enemy, it was resolved to transport them to different parts of the British American Colonies, and distribute them in such small numbers in the various provinces, that they would not be able to combine together, and would soon become mingled and lost in the great mass of the English population. Before we advert to the execution of this severe decree, let us take a view of the character and condition of the devoted race. In describing them we have no occasion to do more than quote from Mr Haliburton's narrative.

'Hunting and fishing, which had formerly been the delight of the colony, and might have still supplied it with subsistence, had no further attraction for a simple and quiet people, and gave way to agriculture, which had been established in the marshes and low lands, by repelling with dikes the sea and rivers which covered these plains. These grounds yielded fifty for one at first, and afterwards fifteen or twenty for one at least; wheat and oats succeeded best in them, but they likewise produced rye, barley, and maize. There were also potatoes in great plenty, the use of which was become common. At the same time these immense meadows were covered with numerous flocks. They computed as many as sixty thousand head of horned cattle; and most families had several horses, though the tillage was carried on by oxen. Their habitations, which were constructed of wood, were extremely convenient, and furnished as neatly as subtantial farmers' houses in Europe. They reared a great deal of poultry of all kinds, which made a variety in their food, at once wholesome and plentiful. Their ordinary drink was beer and cider, to which they sometimes added rum. Their usual clothing was in general the produce of their own flax, or the fleeces of their own sheep; with these they made common linens and coarse cloths. If any of

them had a desire for articles of greater luxury, they procured them from Annapolis or Louisburg, and gave in exchange corn, cattle, or furs. The neutral French had nothing else to give their neighbors, and made still fewer exchanges among themselves; because each separate family was able, and had been accustomed, to provide for its own wants. They therefore knew nothing of paper currency, which was so common throughout the rest of North America. Even the small quantity of gold and silver which had been introduced into the colony, did not inspire that activity in which consists its real value. Their manners were of course extremely simple. There was seldom a cause, either civil or criminal, of importance enough to be carried before the Court of Judication, established at Annapolis. Whatever little differences arose from time to time among them, were amicably adjusted by their elders. All their public acts were drawn by their pastors, who had likewise the keeping of their wills; for which, and their religious services, the inhabitants paid a twenty-seventh part of their harvest, which was always sufficient to afford more means than there were objects of generosity.

Real misery was wholly unknown, and benevolence anticipated the demands of poverty. Every misfortune was relieved, as it were, before it could be felt, without ostentation on the one hand, and without meanness on the other. It was, in short, a society of brethren; every individual of which was equally ready to give, and to receive, what he thought the common right of mankind. So perfect a harmony naturally prevented all those connexions of gallantry which are so often fatal to the peace of families. This evil was prevented by early marriages, for no one passed his youth in a state of celibacy. As soon as a young man arrived to the proper age, the community built him a house, broke up the lands about it, and supplied him with all the necessaries of life for a twelve-month. There he received the partner whom he had chosen, and who brought him her portion in flocks. This new family grew and prospered like the others. In 1755, all together made a population of eighteen thousand souls. Such is the picture of these people, as drawn by the Abbé Raynal. By many, it is thought to represent a state of social happiness, totally inconsistent with the frailties and passions of human nature; and that it is worthy rather of the poet than the historian. In describing a scene of rural felicity like this, it is not improbable that his narrative has partaken of the warmth of feeling for which he was remarkable; but it comes much nearer the truth than is generally imagined. Tradition is fresh and positive in the various parts of the United States, where they were located, respecting their guileless, peaceable, and scrupulous character; and the descendants of those, whose long cherished and endearing local attachment

induced them to return to the land of their nativity, still deserve the name of a mild, frugal, and pious people.' Vol. I. pp. 170–173.

As it would have been impossible for the English to get them into their possession, if the design of carrying them away had been made known; and as it was in the power of the Acadians to disperse and place themselves beyond the reach of detection in the recesses of the forest, secure, as they were, of the alliance and sympathy of the Indians; it became necessary to devise the means of collecting and taking them by stratagem. It was determined that a proclamation should be issued requiring their attendance at specified places, in their several settlements, on the same day. The proclamation was so framed in its phraseology, that the design could not be discovered, and so severe in its penalties, that none would dare to disobey. By this cunning contrivance, nearly the whole population was surprised simultaneously throughout the province. The reader may form an idea of the scene presented on this fatal day throughout the Acadian settlements, by the following account of the proceedings at Grand Pré, in King's county.

Colonel John Winslow of Marshfield, in Massachusetts, was entrusted with the management of the affair at this place. He is described by Mr Haliburton, as an officer of great humanity and firmness. Having issued his proclamation requiring them to assemble on the fifth of September, 1755, at three o'clock in the afternoon in the church at Grand Pré, the unsuspecting and innocent Acadians, to the number of four hundred and eighteen able-bodied men, were found, at the appointed hour, in the appointed place. Colonel Winslow, accompanied by his officers, standing in the centre of the church, addressed them to the following effect.

'Gentlemen; I have received from his Excellency Governor Lawrence, the King's Commission, which I have in my hand; and by his orders you are convened together to manifest to you, his Majesty's final resolution to the French inhabitants of this his Province of Nova-Scotia; who, for almost half a century, have had more indulgence granted them than any of his subjects in any part of his dominions; what use you have made of it you yourselves best know. The part of duty I am now upon, though necessary, is very disagreeable to my natural make and temper, as I know it must be grievious to you, who are of the same species; but it is not my business to animadvert, but to obey such orders as I receive, and therefore, without hesitation, shall deliver you his Majesty's orders

and instructions, namely—that your lands and tenements, cattle of all kinds and live stock of all sorts, are forfeited to the Crown; with all other your effects, saving your money and household goods, and you yourselves to be removed from this his Province.

Thus it is peremptorily his Majesty's orders, that the whole French inhabitants of these Districts be removed; and I am, through his Majesty's goodness, directed to allow you liberty to carry off your money and household goods, as many as you can without discommoding the vessels you go in. I shall do everything in my power, that all those goods be secured to you, and that you are not molested in carrying them off; also, that whole families shall go in the same vessel, and make this remove, which I am sensible must give you a great deal of trouble, as easy as his Majesty's service will admit; and hope that, in whatever part of the world you may fall, you may be faithful subjects, a peaceable and happy people. I must also inform you, that it is his Majesty's pleasure that you remain in security under the inspection and direction of the troops that I have the honor to command.' Vol. I. pp. 176, 177.

After this address, Colonel Winslow declared them the king's prisoners. Mr Haliburton adds, that

'The whole number of persons collected at Grand Pré, finally amounted to four hundred and eighty-three men, and three hundred and thirty-seven women, heads of families; and their sons and daughters, to five hundred and twenty-seven of the former, and five hundred and seventy-six of the latter; making in the whole one thousand nine hundred and twenty-three souls. Their stock consisted of one thousand two hundred and sixty-nine oxen, one thousand five hundred and fifty-seven cows, five thousand and seven young cattle, four hundred and ninety-three horses, eight thousand six hundred and ninety sheep, and four thousand one hundred and ninety-seven hogs. As some of these wretched inhabitants escaped to the woods, all possible measures were adopted to force them back to captivity. The country was laid waste to prevent their subsistence. In the District of Minas alone, there were destroyed two hundred and fifty-five houses, two hundred and seventy-six barns, one hundred and fifty-five out-houses, eleven mills, and one church; and the friends of those who refused to surrender, were threatened as the victims of their obstinacy.' Vol. I. pp. 177, 178.

In consequence of their earnest entreaties, the men were permitted, ten at a time, to return to visit their wretched families, and to look, for the last time, upon the beautiful fields of their loved and lost homes.

'They bore their confinement, and received their sentence, with a fortitude and resignation altogether unexpected; but when the hour of embarcation arrived, in which they were to leave the land of their nativity for ever—to part with their friends and relatives, without the hope of ever seeing them again, and to be dispersed among strangers, whose language, customs, and religion were opposed to their own, the weakness of human nature prevailed, and they were overpowered with the sense of their miseries. The preparations having been all completed, the 10th of September was fixed upon as the day of departure. The prisoners were drawn up six deep, and the young men, one hundred and sixty-one in number, were ordered to go first on board of the vessels. This they instantly and peremptorily refused to do, declaring that they would not leave their parents; but expressed a willingness to comply with the order, provided they were permitted to embark with their families. This request was immediately rejected, and the troops were ordered to fix bayonets and advance towards the prisoners, a motion which had the effect of producing obedience on the part of the young men, who forthwith commenced their march. The road from the chapel to the shore, just one mile in length, was crowded with women and children; who, on their knees, greeted them as they passed with their tears and their blessings; while the prisoners advanced with slow and reluctant steps, weeping, praying, and singing hymns. This detachment was followed by the seniors, who passed through the same scene of sorrow and distress. In this manner was the whole male part of the population of the District of Minas put on board the five transports, stationed in the river Gaspereaux; each vessel being guarded by six non-commissioned officers, and eighty privates. As soon as the other vessels arrived, their wives and children followed, and the whole were transported from Nova-Scotia. The haste with which these measures were carried into execution did not admit of those preparations for their comfort, which, if unmerited by their disloyalty, were at least due in pity to the severity of their punishment. The hurry, confusion, and excitement, connected with the embarcation, had scarcely subsided, when the Provincials were appalled at the work of their own hands. The novelty and peculiarity of their situation could not but force itself upon the attention of even the unreflecting soldiery; stationed in the midst of a beautiful and fertile country, they suddenly found themselves without a foe to subdue, and without a population to protect. The volumes of smoke, which the half expiring embers emitted, while they marked the site of the peasant's humble cottage, bore testimony to the extent of the work of destruction. For several successive evenings the cattle assembled round the smouldering ruins, as if in anxious expectation of the return of

their masters; while all night long the faithful watch-dogs of the Neutrals howled over the scene of desolation, and mourned alike the hand that had fed, and the house that had sheltered them.' Vol. i. pp. 179–181.

A similar scene was presented throughout all the Acadian settlements. In many places the most desperate resistance was attempted, but all was unavailing; they had been ensnared by stratagem, and were overpowered by numbers. The inexorable decree was carried into complete effect. The whole population, amounting to eighteen thousand souls, were suddenly and violently torn from the fertile fields, which their ancestors had cleared and cultivated, and on which they were born and had hoped to die; were robbed of their most valuable property; were separated from their families and friends, and crowded, as in slave-ships, into small vessels, at the rate of two persons for each ton; were transported to distant provinces, and scattered, in humiliation, in poverty, and with broken hearts, in communities hostile to their religion and country, and averse to their manners and customs, without knowing each other's fate, and without the least ground of hope, that they should ever meet again on earth.

The following instance will enable the reader in some degree to realize the misery produced by the consummation of this cruel edict. Those Acadians, who had uniformly befriended the British authorities, were treated in the same manner as the rest; no exception was made, no dispensation granted, no favor, no meritorious service remembered. There was a notary public, named Réné Leblane, who had formerly suffered in consequence of his attachment to the English, having been carried into captivity by the Indians, and kept a prisoner four years, solely on that account. At the time of the expulsion of the Acadians, he was still living, having attained a venerable age. He had twenty children, and about one hundred and fifty grand-children. They were all transported like so many convicts. They were compelled to embark in different vessels, and were scattered in distant provinces. The unfortunate old man was put on shore at New York, with his wife and his two youngest children only. Bent as he was by the infirmity of age, and overpowered by the weight of affliction, his parental affection still prompted him to seek out his lost children. He reached Philadelphia. There he found three of them. But his strength was exhausted, and he could go

no farther. His misfortunes were greater than he could bear. He despaired of discovering his remaining children, and in penury, obscurity, and sorrow, sunk into his grave.

It may be questioned if the history of the world exhibits a more heart-rending incident than the exile of this amiable and happy people, or a more sad and affecting spectacle, than the desolation of their depopulated homes; their moaning flocks and herds; their rich and waving meadows turned into a desert; and the smoking ashes of their houses and barns. While the traveller contemplates the noble dikes reared by their industry, by means of which whole regions have been won from the rivers and the sea; while he walks beneath the shade of their abundant orchards, and stands over the ruins of their cottages, or muses among their graves, his imagination goes back to a scene of rural felicity and purity, in which the fables of antiquity were realized; his heart melts in sympathy with the sudden misfortunes and the dreadful fate of the poor Acadians.

Nova-Scotia is remarkable for the number of spacious and sheltered harbors along the whole line of its northern, eastern, and southern coasts. It is intersected by many beautiful rivers, and is dotted by lakes of every variety of size and shape. Its geographical outlines suggest the advantages, and point out the routes of several canals, which have already, under the direction of the public-spirited legislature of the province, been explored, and will soon, without doubt, by means of the patronage and aid of that body, be completed. Throughout the circuit of its shores (and it is connected with the continent by a very narrow isthmus), the sea affords an abundant supply of fish. Some parts of its soil are barren, but a large proportion is rich and fertile, and in several districts equal to any in the Atlantic States. There are few, if any, better agricultural townships in America, than Cornwallis and Horton in Nova-Scotia. Beneath the soil there is an abundance of lead and iron ore; indeed the natural advantages of the province are uncommonly great, and it cannot be doubted that under the judicious and liberal administration of the local legislature, they will be rapidly and fully improved.

Halifax, the capital of the province, is one of the most convenient sea-ports and beautiful cities on the Atlantic coast. Its public and private dwellings present an aspect remarkably neat and agreeable to the eye. Mr Haliburton speaks with

great enthusiasm of the Navy Yard and the Province House. The latter indeed is a remarkably fine structure, and although we are disposed to hesitate in admitting that they surpass everything of the kind in North America, we cannot take offence at his positive and unqualified assertion to that effect.

The political condition of the northeastern British American provinces, is in many respects favorable. The legislature consists of a Governor and Council, deriving their places and authority from the crown, and a House of Assembly, elected by the qualified voters among the inhabitants. The House holds the purse of the province, and controls the expenditures of the civil department of government. The whole sum derived from the customs goes into the province treasury, and is subject to the disposition of the House of Assembly. The consequence is, that but little is needed from the people in the way of direct tax. Mr Haliburton rather boastingly compares the situation of the inhabitants of the province in this respect with that of the people of the United States. Yet the records of the proceedings of the legislature of Nova-Scotia exhibit several instances of a great waste of money. The House of Assembly, merely to gratify Lord Dalhousie, granted several thousand pounds towards erecting a college in Halifax, which Mr Haliburton acknowledges is not needed. There are too many instances of votes granting large sums of money to be expended upon swords and stars for the British generals and admirals, who have happened to be in command there. It is very undignified and quite discordant with the principles of their own constitution, for the popular and native branch of the legislature to pay this obsequious court to a foreign executive.

There is a college at Windsor, established by a charter from the king, and supported by the unremitted and profuse bounty of the Assembly. It is beautifully situated, possesses an excellent library, and has the reputation of giving a very good classical education to its pupils. But although it has been in existence since 1803, it has bestowed only on sixty-seven persons the degree of bachelor of arts. This is probably owing to the untoward circumstance, that the doctrinal test of the Church of England is imposed upon its students. There is also an excellent academy at Pictou, for the education of dissenters; but the legislature, by refusing to continue to it any patronage, seem to be disposed to permit it to languish. The Council, deriving their

seats from the British government, have determined to negative any law granting assistance to this dissenting institution; and the representatives of the people in the House of Assembly, although three quarters of their constituents are opposed to the English Church, still continue to grant a large annual sum to the Royal Episcopal College at Windsor.

Mr Haliburton has added much to the value of his work, by prefixing to it a large and well executed map of Nova-Scotia, by inserting several plates, representing the aspect and outlines of places of interest, and by some very useful and instructive statistical tables. Among the latter is one giving a view of the religious opinions of the people of Nova-Scotia, as they were ascertained by means of a census. Among the principal evils of a colonial condition, is the want of a stirring spirit of enterprise in the mass of the people, and the degradation of the civil and professional pursuits, produced by the glare and glitter of an elegant and imposing military life, as it is exhibited in the finely arrayed British regiments, that are quartered in the provincial garrisons.

In closing our remarks upon Mr Haliburton's work, we would again recommend it to those who are interested in American history. It is written with clearness, spirit, industrious accuracy, and with great candor and justice. It needs a more copious index, and is perhaps rather deformed, than improved by the chronological table of events from 1763 (where the history terminates) to 1828. It must necessarily be very defective, and, brief as it is, it contains much useless matter. What connexion, for instance, is there between the history of Nova-Scotia, and the fact, that 'Ernest Augustus, Duke of Cumberland, was born June 5, 1771.' Still, notwithstanding these slight blemishes, the 'Historical and Statistical Account of Nova-Scotia' is a valuable work, honorable to its author, and worthy of the thanks of his native province, which have so handsomely been communicated to him by the speaker of the House of Assembly, in compliance with a vote of that body.

It is very desirable that the people of the United States and of the British Provinces should become better acquainted, and be led to take a more lively interest in each other. Their fathers were united by the bond of a common country; and it needs no spirit of prophecy to foresee that the time must come, when, in the natural course of events, the English colonies on our borders will be peaceably dissevered from the re-

mote mother country, and the whole continent, from the Gulf of Mexico to the coast of Labrador, present the unbroken outline of one compact empire of friendly and confederated states.

ART. V.—*Legal Outlines, being the Substance of a Course of Lectures now delivering in the University of Maryland.* By DAVID HOFFMAN. Vol. I. 8vo. pp. 626.

THE author of this work has, in several previous publications, such as a 'Course of Legal Study,' a 'Syllabus of Law Lectures in the University of Maryland,' and various introductory discourses delivered there, explained at large his views on the subject of legal education. In his 'Course of Legal Study,' an unpretending volume, addressed to students, he has rendered them essential service by indicating, with a just selection, the most instructive works, but especially by displaying the order in which the multitudinous parts of a various science may most usefully be considered. In none is such a systematic mode of elementary study more necessary, and in none is it more generally neglected, than in the law. The 'Syllabus' just mentioned had the same object of giving sequence and coherence to the complicated topics of legal learning, and of reducing them to a series where each should spring naturally from another, and lead easily and gradually to a succeeding one. Mr Hoffman's views on this subject are large and liberal. He demonstrates, in these publications, and in his several introductory lectures, that he has himself minutely surveyed the extensive field, whose boundaries and divisions he has described for the student. His learning is ample, his diligence indefatigable. His classification and arrangement are such, that, if strictly pursued, all difficulties (and they are many), arising from the usual want of method, must vanish, and none remain but such as are intrinsic to the science. If he opens a long path before us, he takes all pains to make it smooth; and, by his process, the abrupt steeps of jurisprudence are insensibly surmounted by a gentle acclivity.

It is evident, however, that our author does not pretend to have discovered any royal road to legal learning. He manifestly contemplates a long course of assiduity for his student,

and while he would lessen the fatigue, he would extend the sphere of his acquisitions. He aims chiefly to give his labors the right direction, and to solve for him the problem, not how to read the least (which seems to be the more common one), but how he may compass the most, and with the most understanding, in the shortest time. Thus he traces indeed each path distinctly, but he carries it far and high into the recesses of jurisprudence; he disentangles the topography, but he does not contract the limits of this particular domain of learning; he even makes excursions into contiguous regions. He has an enlarged conception of the duties and of the qualifications of the lawyer, and seeks therefore to extend his views beyond the limits of mere positive and municipal jurisprudence, so as to embrace those original principles in which it has its birth, and by which it must always be controlled and illustrated. He has accordingly devoted this first volume of his 'Legal Outlines,' the only one which has yet appeared, to a consideration of the elements of Natural and Political Law. He treats of the nature of the being who is the subject of this law; of his supposed condition before the institutions of civil society, and of the rights arising in that condition, and independent of civil government; of the origin of the latter, its true foundation, and its effects upon natural rights; of the general properties of law, and of the source and sanction of that universal 'law of nature,' which is itself the fountain and standard of all other law; of political, as distinguished from civil law; and of the various forms of government. The last lecture of the present volume contains a sketch of that remarkable system, the feudal law, which has left such strong traces in the jurisprudence of Europe and of our own country.

The entire work is designed as an analytical outline (the only one, the author remarks, which has yet appeared) of the whole body of jurisprudence proper to be studied in this country; none of the many excellent elementary works which have been published on the laws of England having aimed at presenting this complete analysis of every part. The two succeeding volumes will treat of the elements of the municipal law, including various titles which have scarcely been alluded to by Blackstone; of the law of real and personal property; of equity and mercantile law; of the law of crimes and punishments; of the Roman civil law; of the law of nations, and admiralty and maritime law; and of the constitution and laws

of the United States. Some subsidiary subjects will be appended, as legal biography and bibliography, forensic eloquence, and professional deportment. Mr Hoffman's pretensions are modest. He diffidently dedicates his book 'more especially to students,' who, he remarks, 'if they find no more in these volumes, will at least see pointed out to them the purest sources of information in the different departments of the science.' The nature of the topics discussed in this first volume has induced him to treat them in a more diffuse method, than will be observed in the remaining ones; and the whole, he hopes, may serve as an introduction to Blackstone's Commentaries, and to those of Chancellor Kent on American Law. So far as he has proceeded, the author has much more than accomplished the objects thus modestly proposed. His forthcoming volumes will complete, in our opinion, a very valuable accession to elementary legal works, so far as we may infer from the learning and the clearness with which, in that under review, he has discussed various questions of interest in ethics and natural jurisprudence, whether regarded in themselves, or in their bearing on municipal and international law.

In his exhortations to the study of ethics, natural law, universal jurisprudence, or by whatever other name it may be called, Mr Hoffman duly appreciates the informing and controlling influences of right reason, even in a technical and somewhat arbitrary science. It is often objected to the study of our municipal jurisprudence, that, not always depending on natural principles of reasoning, and reposing, in a great degree, on precedent and decision, it fetters, instead of enlarging the mind. Men may certainly study and practise law (and doubtless not a small number do), who know no other reason why a contract should bind, than its being in writing or duly proved, and whose idea of *obligation* is an instrument under seal, or an agreement upon some consideration. As there are many able accountants, who know nothing of transcendental mathematics, and many skilful workmen equally ignorant of mechanics; so are there many clever attorneys that drive a good business, who may marvel to see Mr Hoffman beginning legal education at so remote a point as the nature of man. The point is certainly not necessary for gaining a suit, nor need we quarrel with those who think it therefore useless. But when the question is about forming able advocates, wise judges, and perspicacious lawgivers, it is plain that this ordinary education will

do no longer. When the file affords no precedent; when we are to travel out of the record; when the index presents no case in point; we are obliged to revert to first principles, and spin for ourselves that thread of ingenious deduction, which is not ready made to our hands. It is this kind of legal education that our author contemplates in his different publications, and in the work under review. Students will fill up his outline with more or less diligence. Many (for the world is not full of capacious geniuses) will slight these elementary and auxiliary studies; perhaps he himself expects few disciples of that constancy of purpose and enlarged ambition, which he would prompt and aid. The standard of science however, like that of morals, ought not the less to be set forth, because the greater part of persons may be confidently expected to fall short of it; and we are well assured, that such as explore the paths he has indicated, will neither find that they lead too far, nor fail to gather intellectual force and vivacity from the excursion.

The present volume will not be without some attractions, however, of a general nature. While it enables the law student to push his researches in a just order, and with the least waste of his energy, it may answer the different purpose of satisfying the curiosity of cursory readers on a number of interesting topics in ethics and universal law. There will be many of this sort, who, prevented from seeking the fountains from which the author has drawn, will be glad to contemplate their streams thus collected in a reservoir. Numbers read Blackstone's Commentaries with pleasure and profit, who would be appalled at the thought of mastering the tomes of black letter, which swell the knowledge, and please in the beautiful method, of those delightful volumes. And so, while the law student will learn to estimate from this work the importance of questions of natural jurisprudence, and their intimate influence on those parts of the science which are positive or conventional, others will be content to limit their inquiries into these subtile topics, by the work itself. Among these topics there are some sufficiently absurd, and in which learning and argument have been very idly squandered. These have necessarily passed under review in this volume, one part of the design of which is to save the student some useless investigations by exhibiting their futility or their folly. One can hardly know the nature and state of true learning without some knowledge of the false. For general readers, in fine, these distillations of learning, these

concentrations of the odor of the flowers of science into portable essences, are quite invaluable in the present state of letters. As the empire of knowledge expands its surface, it seems to require its easy roads and its locomotive engines. But durable reputation must continue to be founded on large and correct knowledge in a particular department; and while, in the branches of learning not nearly akin to our proper pursuits, we may bound our inquiries with the labors of the abridger or the analyzer, in those where we aim at excellence, we must only employ them as guides to larger and loftier acquisitions.

In another part of this article, we shall attempt to show how many points of municipal and international law have derived light and authority from the doctrines of natural jurisprudence. We cannot, of course, go into this very extensive subject at much length, any more than we can regularly analyze the contents of the present volume, extending, as it does, to six hundred pages, and touching on most of the questions alluded to. But we may remark, that, in turning over the work, we have been impressed with new convictions of the importance of natutural jurisprudence; and thus convinced of the salutary influence of these more general and abstract branches of legal acquirement, we must take this occasion to speak a little at large on the subject.

It may not, indeed, be very obvious at first sight to a student, why he is detained, for example, in the outset of his studies, with an examination into the unity of the species, and whether this be reconcilable with its variety of color; or into the true origin of political power, whether from divine right, inheritance, prescription, or consent of the governed; or into the actual existence and true meaning of the state of nature; or into the distinction between perfect and imperfect rights; or the extent of the right of extreme necessity, &c. &c. Yet a wrong understanding of some of these points, we doubt not, has had its share in diffusing some of the greatest moral calamities, and exciting some of the most violent political convulsions, which have desolated the race. The history of the slave trade may induce a doubt whether the victims of this tyranny could have been deemed by their oppressors to be of the same rank of being with themselves; nay, we believe it has been justified on a presumed inferiority, of which their color and shape were seriously asserted to be the badge. It will hardly be denied, that the absurd notions which have been

upheld, of the origin and sanction of political power, have contributed to the number of unwise and arbitrary kings, and of brutish and servile subjects; while false notions of what is called the state of nature, and of the rights of nature, may have added something to the folly and fury of popular and revolutionary delusions. A notion of the true distinction between perfect and imperfect right, might have wrought some modifications in the conventional law of nations, or rather that of kings; and some resorts to the right of extreme necessity might have been spared to the people, if its existence had been recognised by sovereigns, and had inspired a salutary terror in them. Again, in the identity of a state, one of the nice points which are agitated in the books, may be sometimes involved the question of indemnity for spoliations. The origin and objects of civil government enter into the vexed question of expatriation. And the distinction between the social and constitutional compact has, with very opposite results on the tranquillity of the nation, been regarded in one revolution, and lost sight of in another.

How else than by the principles of the natural law, are we to discuss the questions of religious toleration; the obligation of mere positive laws, with the distinction between *mala prohibita* and *mala in se;* the alleged omnipotence of parliament; the rights of extreme necessity (a branch of which has been already alluded to), and of harmless profit; the nullity of *ex post facto* and retroactive laws; the right to pursue fugitives and their abducted property into the territories of other nations, upon the ocean, or into regions where jurisdiction is unknown; the extra-territorial operation of civil laws; the right of capital punishment, and the true theory of punishment in general; the nature and effects of occupancy, whether particular or in gross; the appropriation of the ocean, and the doctrine of *mare clausum aut mare liberum;* the extra-patrimonial nature of certain things, such as air, running waters, &c., and the limitations of the same? How, the legality of usury, independently of positive laws; the right of parents to disinherit their offspring; the perpetuity of the marriage contract; the exclusion of aliens from inheriting or holding lands within the territory of a nation; the like exclusion in the case of personal property, and the validity of the *droit d'aubaine;* the extent of parental power, with the crime of infanticide; the numerous questions of intestacy; questions of insanity, and others in medi-

cal jurisprudence; the validity of foreign marriages; the nullity of marriages for incest, natural or civil, with the effect on this contract of prior or supervenient frigidity? How ascertain the right and extent of eminent domain, and the limitations of despotic sovereigns? All these questions of grand consideration can be solved only by a reference to the principles of the *jus naturæ et gentium*, and those also of human physiology and mental philosophy.

Many of these examples are drawn from public law; but it is equally obvious from others, that the vast body of positive enactments, decisions, precedents, and customs, which together constitute municipal law, have the same fundamental reference to universal jurisprudence. The science, however artificial and technical it may seem, has its pervading abstract principles, from which we must commence all our learning, and to which we must return for a clue, whenever the deductions from them become remote or complicated. These principles, though varied and modified by the genius of the government, or the accidental circumstances of the people, however they may 'take a tincture and taste' from regions and policies, are those of that necessary and eternal justice which we call the law of nature. Grotius, indeed, was led to the contemplation of it, and to the composition of his elaborate work, by tracing the laws of his country to their principles. The student of mere municipal laws, who begins his inquiries into them instructed in the general topics which occupy the writers on ethics and natural jurisprudence; in the nature of obligation, the meaning and essential requisites of a contract, the principles of evidence, the natural rules of interpretation, &c., will find a light continually shed on the path of acquisition, as, at a future day, he will from the same source be able to direct it on his own expositions and demonstrations. By these studies, he will only draw back, as it were, to bound forward with more effect in the field of positive legislation and judicial decision.

A different train of considerations will suggest themselves to those whose views and objects in the law are of a more enlarged kind. The code of natural equity is a body of rules deduced from the constitution and natural condition of man; or it may be considered in another aspect, as that body of rules which is the best adapted to promote his moral happiness. But innumerable accidents give rise to peculiar policies which, however adapted to instant emergencies, may thwart in

some degree the true aims of political society; and as these particular policies have also their peculiar principles, as their laws are fashioned to promote their ends, the impress of their institutions is felt long after the causes have passed away to which they owed their birth. The rule remains, though the reason of it has ceased; and the facility is wonderful, and not fully conceived by ourselves, with which we become reconciled to institutions which shock, or ought to shock, the natural justice of the mind. It is thus that the feudal nations established, and transmitted to us, the barbarous right of primogeniture, the ungentle law of baron and feme, the cruelty of escheat and attainder, the iniquitous exemption of lands, in most cases, from liability for debt; the injustice of all which, we forget from habit, or excuse because, forsooth, they have a nice consistency with the general aim of the feudal system. A student rises from the elementary writers of the common law so struck with this general coherence, that he forgets the original barbarousness of the system from which the alleged doctrines are drawn. Now though time and necessity work the cure of these defects, and gradually fashion laws to the occasions of society, it is certain that this salutary process of modification and change will be retarded in proportion as the lawyer confines himself to his indigenous jurisprudence. The pedantry thus begotten, made a large part of that jealousy of the English common lawyers, which so long resisted the benign influences of the Roman code; and if it subsists no longer, if we are prepared to select what is most convenient to our altered circumstances, or to that 'universal fitness of things' to which it is the supposed aim of all laws to approximate, our lawyers, judges, and legislators must drink at the fountains of natural equity, in order to scrutinize the written by the unwritten reason, and institute that just comparison of various codes which is a preliminary step to the improvement of any one of them.

These views of the importance of natural jurisprudence are abundantly confirmed by the testimony of lawyers and philosophers. 'Ratio ipsa,' says Bynkershoek, 'ratio juris gentium est anima.' 'The law of nature,' says an eminent jurist of our own country,* 'is the philosophy of morals;—it lies at the foundation of all other laws.' Sir James Mackintosh has indicated the just process of inquiry into it. 'We should,' he re-

* Story's Inaugural Discourse.

marks, 'first search for the original principles of the science in human nature; then apply them to the regulation of the conduct of individuals; and lastly, employ them for the decision of those difficult and complicated questions that arise with respect to the intercourse of nations.' 'Between the most abstract and elementary maxim of moral philosophy,' he continues, 'and the most complicated controversies of civil or public law, there subsists a certain connexion. The duties of men, of subjects, of princes, of lawgivers, of magistrates, and of states, are all parts of one consistent system of universal morality.' * It was the perception of the existence of this universal and necessary justice, and of the necessity of reverting to it as the standard of comparison for all positive codes, which suggested to the perspicacious mind of Bacon the notion of a philosophical system of jurisprudence, an investigation (to use his significant phrase) of the *leges legum;* an idea which, by his advice and that of Peiresc, was executed, however imperfectly, by Grotius. The same views prompted the following passage, from Adam Smith. 'It might have been expected,' he says, 'that the reasonings of lawyers upon the different imperfections and improvements of the laws of different countries, should have given occasion to an inquiry into what were the natural rules of justice, independent of all positive institution. It might have been expected, that these reasonings should have led them to aim at establishing a system of what might properly be called natural jurisprudence, or a theory of the principles which ought to run through, and to be the foundation of the laws of all nations.'

Such is the importance, and such the intimate relation with both municipal and public law, of the subjects with which Mr Hoffman has principally occupied this introductory volume. We should transcend all reasonable limits, were we to pursue the speculations which the perusal of it has awakened. We find in the first lecture, for example, a statement of the controversy respecting the unity of the species. It might not be guessed, at first view, how a physiological question, respecting the diversity of complexion and features in the different races of mankind, could involve the very foundations of natural jurisprudence. So it was, however, that some curious physiologists, having doubted the common descent of mankind from

* Mackintosh's Introductory Lecture.

Adam and Eve, a new doubt arose as to the identity of their moral constitution, and consequently as to the universal obligation of the rules of morals. This was a grave difficulty. The question as to the standard of beauty, whether the Hottentot could by any canon of taste be deemed on a footing in that respect with the European, though not less perplexing, was not quite so serious as this ; which seemed to imply some doubt whether a negro might not be kidnapped and flogged with less remorse, as not being a brother of the same family ; or whether there was not more reason in a Musselman's having two wives, than was generally allowed by Christian people. Our author, while he contends for the unity of the whole race, as the opinion most consistent with physical facts as well as with sacred history, remarks, however, that the diversity of species might not necessarily destroy the universality of the moral law. We certainly do entertain the same opinion. For even should we allow, that the 'crisped hair' of the Negro, and the high cheek bone of the Tartar, rendered it necessary to allot them a different genesis, it would remain to be shown how this altered their moral organization, or why moral rules must vary on their account, any more than for a dyspeptic or hypochondriac patient, both of whom would probably require, with more reason, a relaxation of them. This seems to us to be nearly the amount of all the grave argument on this question, for gravely argued it has been ; and most of our author's readers will agree with him as to the universality of a code, of which the great principles have been recognised alike by all races and lineages, and 'to which Moses and Confucius, Seneca and Socrates, have rendered equal homage.'

This has been denied indeed by another class of casuists, who, with the true rage of theory, have ransacked the history of mankind and the narratives of travellers, for the horrible and unnatural in customs and institutions, and set them in terrible array against the generality and uniformity of the code of morals. Our author has given us a pretty copious list of these monstrous deviations from natural feelings and justice in his lecture on the 'Laws of Nature.' We leave it to him to reconcile these exceptions with the general rule, or rather, according to the law maxim, to prove the rule by them. But we may observe here the opposite inferences which have been drawn from these moral dissimilarities in nations. While one party deduces from them the nullity of any universal moral code,

another out of superserviceable zeal for it, has made them the apology for the most frightful barbarities. Those who excuse the actors of such enormities on the plea of ignorance, of established custom, and the like, have improperly argued from this excusableness of individuals the abstract innocence of the thing; if there is no guilt, say they, there is no penalty, and if no penalty, no law. The other party, again, have argued from the abstract error the individual guilt. Now it might have been wholesome for each to have remembered, that there exists a penalty sufficient both to supply the sanction which seemed wanting to the first, and to have dispensed with the practical zeal of the last. Every deviation from the principles of right reason is accompanied by a corresponding mischief to human happiness. This is the penalty we speak of, and it will seem sufficiently severe to such as contemplate the general condition of those nations in which these more monstrous deviations have been observed. It may not be easy to decide which of these two theories is the more erroneous; but it is not difficult to see of which the disciples have done the most harm; and it is to be wished, that the religious conquerors and the furious zealots, who have roasted misbelievers and depopulated nations for the glory of God, had been better casuists.

We shall advert here to a disquisition in Mr Hoffman's third lecture, both for the sake of the criticism contained in it, and because it leads us to notice some observations of Dugald Stewart on the science of Natural Jurisprudence. Rights have generally been divided by writers on natural law, into *perfect* and *imperfect*. Our author objects to the latter term, as inconsistent with the nature and definition of a right. A right is a power of doing or having a thing consistently with law; and to call any right *imperfect* is to say, in other words, that it is imperfectly consistent with law, a proposition not very intelligible, as there seems to be no middle point between consistency and inconsistency. The distinction arose from its being observed, that the *subject* of some rights was fixed and determinate, while of others it was vague and undefinable; a reason, indeed, why the last could not be ascertained and vindicated, but not for altering their nature, or considering them as infirm or, in the usual phrase, imperfect. There might be a difficulty, says our author, so to limit the subject of the right that it could be claimed and enjoyed, but none to originate the right itself, nor any reason to impair its completeness or per-

fection. While all rights, too, are equally rights, they are not all of equal importance; and that general utility which has originated the rules of the voluntary law of nations, would consider as subordinate such as would interfere with the exercise of others more essential to the peace of mankind and the good order of nations. These subordinate rights have likewise been classed with the imperfect; but the use of this nomenclature has produced confusion among writers, some classing as imperfect what others have recognised as perfect rights. Some phraseology would be preferable, which should indicate the importance and definiteness of rights, without seeming to impugn their equal abstract consistency with natural justice. Mr Hoffman proposes to call them *primary* and *secondary*, and *determinate* and *indeterminate*. As the abstract perfect right becomes imperfect in practice, because its extent and subject cannot be accurately defined, it might be called indeterminate; and as it is not enforced lest it should interfere with another, the rigorous exercise of which it is of more moment to sustain, it may be termed secondary.

Dugald Stewart thus explains the introduction of the distinction between perfect and imperfect rights in use among the writers on natural law. Justice, he says, is obviously distinguished from the other virtues by two circumstances; 'its rules may be laid down with an accuracy of which other moral precepts do not admit,' and they may be enforced, 'inasmuch as every transgression of them implies a violation of the rights of others.' But as jurisprudence, thus confined merely to the rules of justice, would have opened a very narrow field of study, 'its province was gradually enlarged, so as to comprehend, not these merely, but the rules enjoining all our other moral duties. Although justice is the only branch of virtue in which every moral *obligation* implies a corresponding *right*, the writers on natural law have contrived, by fictions of *imperfect rights* and of *external rights*, to treat indirectly of all our various duties, by pointing out the rights which are supposed to be their correlates. This idea of jurisprudence identifies its object with that of moral philosophy.' * The reader will perceive from these passages how the distinction of rights adverted to sprang up; and we shall not detain him with an inquiry, whether the supposition of the writers spoken of, that

* Stewart's Dissertation on the Progress of Metaphysical, Ethical, and Political Philosophy, Part I. Chapter ii. Section 3.

every duty involved a corresponding abstract right, was altogether wide of metaphysical truth.

But perhaps a clearer and more comprehensive idea of the scope and extent of natural jurisprudence may be gained by first considering the true meaning of the 'state of nature,' a topic which occupies the second lecture of this work, and which we think very happily elucidated. The state of nature then, says our author, is a hypothetical state, 'a mere *ens rationis*, a state which never had a real existence, and which is founded by philosophers on the doctrine of possible relations,' whence to deduce conclusions relative to the rights and obligations of men. This metaphysical figment contemplates man in the abstract; and the deductions from it, 'the laws of nature, would have been equally true and existent, had never an individual subsisted in a state of nature, the constitution of man being supposed to be the same as we know it to be.'* Now these possible relations cannot all be foreseen or provided for by the most perfect system of laws conceivable; and every *casus omissus*, to use the law phrase, must necessarily be referred to the natural principles of equity; so that if man never existed in a state of nature in one sense, in another he may be said never wholly to depart from it. There are rights, besides, which remain unaffected by government; others, which may revert to individuals on the dissolution of it; and a third sort, which belong to his state or community, as an independent member of the family of nations; so that the law of nature, besides that it is the standard whereby the fitness and justice of all positive laws are to be judged, is also the only code in all that vast variety of cases wherein positive legislation is silent, or where rights remain uncontrolled by civil laws; where accidents dissolve the government, or the question is between independent communities. Of these two last provinces of natural jurisprudence Dugald Stewart makes mention in the following words. 'The contrast between natural law and positive institutions, which jurisprudence constantly presents to the mind, gradually suggested the idea of comprehending under it every question concerning right and wrong, on which positive law is silent. Hence the origin of two different departments of jurisprudence, of which one refers to the conduct of individuals in those violent and critical moments when the bonds

* Legal Outlines, Lecture 2.

of political society are torn asunder; the other to the mutual relations of independent communities; on the latter so much has been written, that what was formerly called natural jurisprudence, has been in later times not unfrequently distinguished by the title of the Law of Nature and Nations.'* And thus in municipal law, (as we shall presently show,) although the conclusions drawn from the law of nature have not, as in the last instance, been separately embodied, nor taken a distinct title, they form a large and important part of the principles of elementary writers, and of the expositions of the law by courts.

Thus, the inquiry into the 'state of nature,' is not a disquisition whether men, in the words of our author, 'were at first the *mutum et turpe pecus* they are described to be by the poet;' whether society preceded the formation of language, or the latter must necessarily have preceded society; whether there was a peaceable community of goods, as, in the '*golden age*,' is depicted by the poets; nor whether there was that natural and incessant hostility painted by the more gloomy pencil of Hobbes. Neither is the inquiry into the 'rights of man in a state of nature' confined to a few 'speculations about the principles of this natural law, as applicable to men before the establishment of government.' As Mr Plowden has happily remarked, 'the qualities and properties of this state, bear the same analogy to the actual state of man in society, as the principles and properties of mathematics bear to practical mechanics.' It is this abstract and comprehensive standard of right which is contemplated in that idea of natural jurisprudence described by Stewart, of which 'the object is to ascertain the general principles which *ought* to be recognised in every municipal code, and to which it *ought* to be the aim of every legislator to accommodate his institutions.' These are those 'natural rules of justice, independent of all positive institution,' to which Adam Smith refers in a passage already quoted; 'that theory of the principles which ought to run through, and be the foundation of the laws of all nations.' This is that 'right reason' described by Cicero as 'itself a law; congenial to the feelings of nature; diffused among all men; uniform; eternal; not speaking one language at Rome, and another at Athens; addressing itself to all nations and all ages; and

* Stewart's Dissertation, Part I. Chapter ii. Section 3.

carrying home its sanctions to every breast by the inevitable punishment it inflicts on transgressors.' It is that natural law spoken of by Grotius, 'coëval with the human constitution, from which positive institutions derive all their force.' And this is the *desideratum* in science to which Bacon refers; namely, 'by investigating the principles of *natural justice*, and those of *political expediency*, to exhibit a theoretical model of legislation, which, while it serves as a standard for estimating the comparative excellence of municipal codes, may suggest hints for their correction and improvement;'—to seek out those 'leges legum ex quibus informatio peti possit, quid in singulis legibus bene aut perperam positum aut constitutum sit.' *

It is not within our scope to inquire, how far this system of natural jurisprudence has been revealed in the works of those who have written upon it. It has been objected to them, that they reason concerning laws too abstractly, and without sufficient reference to 'the particular circumstances of society to which they meant their conclusions should be applied.' † Bentham remarks that, 'if there are any works of universal jurisprudence, they must be looked for within very narrow limits;' and that writer would have those of the expository kind to be confined wholly to *terminology*, that is, to the explanation of words connected with law, as *power*, *right*, *obligation*, &c. in order to be susceptible of a universal application. Stewart's censure of this opinion must be admitted to be sufficiently light, when he says, 'He certainly carries this matter too far.' Bentham's description of Natural Law is but too just, if we confine it to the manner in which the science has often been treated by writers. He calls it 'an obscure phantom, which points sometimes to *manners*, sometimes to *laws*, sometimes to what the law *is*, sometimes to what it *ought to be*.' This is eminently true of the treatise *De Jure Belli ac Pacis*. But if the description be designed, remarks Stewart, 'for the Law of Nature, as originally understood among ethical writers, it is impossible to assent to it without abandoning all the principles on which the science of morals ultimately rests.'‡ While it may be accorded to these two writers, that an abstract code of *laws* is unphilosophical in design as well as useless in execution, the same objections can by no means be made to works

* De Aug. Scient. Lib. viii. cap. iii. De Fontibus Juris. Aph. 6.
† Stewart's Dissertation. ‡ Ibid.

professing to treat of the *principles* of legislation. We confess, then, we do not understand why the Scottish philosopher, while he admits the utility of a comparative view of the municipal institutions of various nations, should doubt 'whether this can be done with advantage by referring these institutions to that abstract theory called the *Law of Nature*, as to a common standard.' He would have 'the code of some particular country fixed on as a groundwork for our speculations; and its laws studied, not as consequences of any abstract principles of justice, but in connexion with the circumstances of the people among whom they originated.' On the contrary, such works as we have adverted to, examining and embodying such general principles as should pervade all laws, and illustrating them by a comparison with municipal laws, when either they coincided or differed, would, it seems to us, possess very obvious utility For whether our aim was to determine the reasonableness of particular institutions, or to compare the merit of corresponding laws in different nations, it would be necessary to have some standard of comparison. How else arrive at any conclusion, either as to the reasonableness of an institution, or the respective merits of the laws compared? However philosophical it may be to estimate the policy of laws by reference to the peculiar circumstances of nations, it will hardly be denied that there are some principles quite independent of these, and which must therefore be common to all.

We think it will scarcely be denied that in one branch of jurisprudence, that part of international law we mean, which is commonly called conventional and customary, some such standard is requisite for appeal and correction. Rights have been set up on the ground of these, by the powerful and ambitious, which have been resisted on those broader grounds which are furnished by the law of nature as applied to the transactions of independent communities; and there have been writers who have insisted that the decrees of natural justice, as applied to nations, vary from its injunctions as regards man and man. To estimate aright this opinion, which has been found so convenient to long subsisting usurpation, it is necessary to advert to the distinction between the *necessary* and the *positive* law of nations; the first of which is that general and fundamental standard to which we have so often referred, and which, in the words of Hobbes, can suffer no necessary change; while the latter being, or supposed to be, founded on the first, or not

to contradict it at least, must be judged by its correspondence with, or deviation from it. This positive law of nations is of three kinds, the *voluntary*, the *conventional*, and the *customary;* the two last being those compacts which have either been positively established, or have been tacitly admitted, between the nations, and are therefore obligatory only between the parties; while the first, being such general rules as have been found convenient for the welfare and common safety of nations, is on the contrary of universal obligation. Now these conventional and customary parts of public law may, or may not, be repugnant to the necessary; and whatever may have been the practice, the compacts, or the customs of power, they must be judged by a superior law, and resisted, when wrong, by a paramount right. Examples of such usurpations, and of such resistance to them, will suggest themselves to the reader; and in order to measure that resistance, it is necessary to refer to the principles of that universal justice arising out of the constitution of men and states, and serving therefore as a test of the acts of both. Nay, as the voluntary law of nations itself must sometimes tolerate what is inconsistent with the necessary, because the vindication of the latter might interfere with general liberty and reciprocal independence, it cannot be regarded as actually and always immutable. It is a principle, for example, arising out of an obvious policy, that one nation shall not interfere with another in its internal regulations, however unjust; yet perhaps the interposition of the European Powers in behalf of Greece is not in the strictest conformity, in this respect, with the voluntary, however consistent with the necessary law of nations.

It is observed by the distinguished writer whom we have so often quoted,* that the alliance established between the law of nature and the conventional law of nations, by the writers on these subjects, had the effect of presenting more enlarged and philosophical views to the minds of speculative statesmen, and led to more liberal doctrines respecting commercial policy, and the other relations of states. But we shall now dismiss this part of the subject, and proceed to show briefly what frequent reference to these natural fountains of justice is to be found also in the decisions of the ordinary tribunals, both in England and this country.

In every country, ancient and modern, positive laws, as we

* Stewart's Dissertation.

have before remarked, must fall very short of the aims of government, and of distributive and commutative justice. Hence have sprung the prerogatives of commutation, dispensation, and pardon; hence arose the salutary jurisdiction of the Roman *prætor*, the ample powers of British and American courts of equity, and far the larger portion of the common law, in which, from time to time, and as occasion demanded, the principles of natural justice were embodied. The history of that system shows the justice of Professor Millar's remark, that, after other questions of natural justice had also become numerous, they were likewise necessarily classified according to their principles, and formed the equity system; so that law and equity went on in perpetual progression, the former continually gaining ground on the latter. Thus 'every new and extraordinary interposition is, by length of time, converted into an old rule. A great part of what is now *strict law*, was formerly considered as *equity;* and the equitable decisions of this age will unavoidably be ranked under the strict law of the next.*

Such, of necessity, was the original meagerness of positive legislation, that, had the judges regarded only the letter of the existing laws, the legislature could not have kept pace with the daily wants of the people, and the courts would have been almost without employment. By a happy, and indeed unavoidable compromise between the legislative and judicial departments of the English government, it soon came to be established in theory, and was daily reduced to practice, that there is a vast fountain of preëstablished principles or rules of adjudication, which, by a process of sound dialectic, are ascertained and applied by the judges to the new and ever-varying combinations of facts as they arise; and from this power of judicial interpretation, and application of principles to facts, the judge is said to *declare* the law, not to *make* or promulgate it. Under this view is it that the 'laws of God,' the 'laws of nature,' and the 'laws of nations,' are considered as integral portions of our common law; and in the gradual progress of adjudication through the lapse of ages, the judges, by a strict adherence to what has been called the 'principle of precedent,' and the 'principle of analogy,' have been enabled to build up the existing fabric of English and American law, which, with all its admitted defects, must still be regarded as

* Millar's Historical View of the English Government, p. 478.

surprisingly systematic. The rule of *stare decisis*, so strictly adhered to wherever title to property, and not the mere mode of procedure, is concerned, has given to that system its certainty and general equity, though at the expense of occasional individual hardship. It is manifest, therefore, that the laws of England and of this country are not to be found in the statute books only, nor in the superadded volumes of judicial reports, nor in Plowden nor Coke; nor would they be found in the most elaborate codes that could be formed. We must still draw from that exhaustless fountain of reason and abstract justice, the code of natural law, much of which is reflected in the pages of Grotius, Wolfius, Puffendorf, Vattel, Bynkershoek, and others. This code, and these authorities, have been often appealed to, and will continue to be, we hope, by British and American judges; and we have pride in perceiving that some of our American jurists have been warmly praised by their trans-Atlantic brethren,* for their exertions to make jurisprudence in this country a science more equitable and philosophical than it has been regarded in England. This they conceive is to be promoted, as Mr Du Ponceau has declared, by establishing it as a maxim, 'that pure ethics and sound logic are also parts of the common law.' † The parallelism of the Roman code with the natural law has been the boast of its admirers; and it has been the aim of some American jurists, among whom our author is to be numbered, to draw the attention of students to the consideration of that great body of wisdom, less jealousy of which in the common lawyers would have been fortunate for the improvement of the common law.

Our limits do not allow us even to glance at the numerous instances in which this view of the law of nature, as comprehended in the common law, has been sanctioned by the judges and lawyers of England. 'If any case happen for which there is no statute or precedent, common law shall judge according to the law of nature and the public good.' ‡ Blackstone, in his Commentaries, regards the law of nature as an integral part of the laws of England, and as paramount whenever they come in conflict.§ The same doctrine is inculcated by St Germain,‖

* London Jurist, for March, 1827, and Park's Contre-Projet to the Humphreysian Code, *passim.*

† Du Ponceau on Jurisdiction. ‡ Jenkins, Centu. 97, 117.

§ Commentaries, 42. ‖ Doctor and Student, Dialogue i, Chapter 5.

by Wynne,* by Bentham,† by Lord Coke,‡ Lord Hobart,§ Bracton,‖ Fortescue,¶ and many others.

The law of nature has been appealed to in numerous legal and other discussions besides those already mentioned, and the authority of writers upon it has been admitted with as much respect, as is accorded to the approved treatises on various branches of the municipal law by a Fearne, a Hargrave, a Butler, or a Preston. It was thus in the question, whether by the Common, as by the Roman law, gifts are subject to repetition for gross ingratitude in the donee.** By the civil law, an emancipated slave returned to his state of servitude for flagrant ingratitude to his master; in England, the maxim was, *Semel manumissum semper liberum.* This law was likewise appealed to on the question of *Commendam.*†† As to the means of distinguishing between things *mala in se* and *mala prohibita*, Chief Justice Vaughan, in the case of Thomas *versus* Sorrell,‡‡ delivered a most able and learned opinion, showing his intimate acquaintance with the law of nature, and the writings of Selden, Grotius, and others. (See also Foster's Discourses, Disc. ii, ch. 1; 12 Coke's Reports, 76; Lord Macclesfield's speech on Impeachments, and Stillingfleet on Resignation Bonds.) So, likewise, as to allegiance, in Calvin's celebrated case, and as to the rights of the *antenati* and *postnati*, Lord Coke greatly relies on the *jus naturæ*, and speaks of it as the *lex æterna;* and he seeks for its lights in all the treatises then known.§§ We might also here refer to the celebrated controversy between Milton and Salmasius as to the legality of the proceedings of Charles the First; to the discussions relating to the exaction of ship-money, and those relative to the dispensing power; in all which the laws of nature and nations were discussed and relied on. Nor can we omit to mention the elaborate opinions of Chief Justice Vaughan in the cases of Harrison *versus* Dr Burwell, ‖‖ and Hill *versus* Good, ¶¶ in which the law of nature

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* Eunomus, Dialogue i, Section 17.
† Fragments on Government, 109. ‡ 7 Coke 126; 3 Institutes.
§ Reports 87, 149, 225; 12 Modern, 687.
‖ Liber i, Chapter 1. ¶ Chapter 8.
** 3 Institutes, 151; Doctor and Student, Dialogue i, Chapter 6; Dialogue ii, Chapter 45.
†† Hobart's Reports, 149.
‡‡ Vaughan's Reports, 331. §§ 7 Coke, Calvin's Case, 12 b.
‖‖ Vaughan's Reports, 207—250. ¶¶ Ibid. 302—329.

was fully investigated on the subjects of incestuous marriages, and of the nullity of laws for want of promulgation. These opinions could have been pronounced only by a judge who had extended his researches much beyond the confines of the strict common law of England. In connexion with these opinions we may refer to Aughtie *versus* Aughtie,* Burgess *versus* Burgess,† Butler *versus* Gastrill,‡ Wightman *versus* Wightman,§ and finally to the question of the validity, under the *jus naturæ*, of a man's marriage with his deceased wife's sister, the affirmative of which was maintained by Mr Noah Webster,‖ and the negative by Dr Livingston.¶

The natural law has also been relied on in cases where the question was involved as to the mode of acquiring and parting with property in things *feræ naturæ ;* and in Fennings *versus* Lord Grenville,** Gillet *versus* Mason,†† and Buster *versus* Newkirk,‡‡ it was decided on its principles, that property in such things can be gained only by possession and not by pursuit. The second of these cases, and that of Wallis *versus* Mease,§§ related to the property of a swarm of bees ; that of Pierson *versus* Post,‖‖ to the right of killing a fox pursued by another ; yet they were not settled without reference to Grotius, Puffendorf, Barbeyrac, and Bracton. A melancholy instance of a resort to one of the rights of nature, that arising from extreme necessity, is related in a note to page 124 of the 'Legal Outlines.' It is the story of the carpenter, who, with his son, was engaged in repairing a steeple in a country town. The boy was seized with a vertigo when at a lofty point of the spire ; and the father, who was a few feet below him, finding that his son's fall would inevitably involve his own destruction, gave the ladder a tilt in a direction from himself, and precipitated the child to the earth. We do not know that he was ever tried for this act of dreadful necessity.

The right of *gleaning*, as being what is called *harmless profit* by writers on natural law, was at one time held in England to be a common-law right. It has twice been the sub-

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* 1 Phillimore's Reports, 201.
† 1 Haggard's Reports, 386.
‡ Gilbert's Reports, 156.
§ 4 Johnson's Chancery Reports, 343.
‖ Essay's 1790, Number 26.
¶ Dissertation, published in 1816.
** 1 Taunton's Reports, 242.
†† 7 Johnson's Reports, 16.
‡‡ 20 Johnson's Reports, 75.
§§ 3 Binney's Penn. Rep. 546.
‖‖ Caine's New York Reports, 176.

ject of legal adjudication there, and is now denied to be law.* The right to literary property, independently of positive laws, has also been discussed in England with perpetual reference to the principles of natural jurisprudence, especially in the great case of Miller *versus* Taylor.† Dependent on the principles of this universal law, and the subject of frequent judicial investigation, is also the right of *eminent domain*, or the sovereign power inherent in all governments, of appropriating private property to public uses, after just compensation made. The reader may see in what manner this subject has been treated, in Leader *versus* Moxon,‡ Rex *versus* Cook,§ case of the Isle of Man,‖ Lindsey *versus* the Commissioners,¶ the People *versus* Platt,** and Bradshaw *versus* Rodgers.††

Whether civil laws create a moral obligation to their observance, or leave it optional either to obey them or submit to their penalties, is a question which has often been made, and which can be solved only by an examination of the principles of ethics and natural jurisprudence. Moralists have generally decided in favor of the moral obligation. Blackstone, who has inculcated a contrary doctrine,‡‡ has been ably refuted by Mr Sedgwick in his 'Critical Remarks on the Commentaries,' §§ and also by Judge Tucker in an annotation.‖‖‖ In the case of Aubert *versus* Maze,¶¶ the question was as to the right to recover back moneys paid on a transaction *malum prohibitum*. The court had no hesitation to repudiate the distinction attempted to be set up, between the right of repetition in this case and where the transaction was *malum in se;* and the judges stated emphatically, that civil laws create a moral obligation to their observance. Mr Hoffman adverts several times to this topic; and his consideration of the nature of *obligation*, of *sanction*, and of the general properties of law, will set it in a point of light sufficiently clear.*

We might embrace in this view, the many discussions which have occupied English and American courts, as to slavery and the slave trade; whether the laws of any country which

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* Steel *versus* Houghton, 1 Henry Blackstone's Reports, 53; 3 Blackstone's Commentaries, 212. † 4 Burrow's Reports, 2303.
‡ 3 Wilson, 461; also Sutton *versus* Clark, 3 Campbell, 403.
§ Cowper's Reports, 26. ‖ Cited, 2 Dallas, 214.
¶ 2 Bay's Reports, 38. ** 17 Johnson, 215.
†† 20 Johnson, 103. ‡‡ 1 Commentaries, 57. §§ Pages 52—64.
‖‖‖ Tucker's Blackstone, 58. ¶¶ 2 Bosanquet & Puller, 375.
* Legal Outlines, 70, 272, 282, &c.

sustain slavery, have any extra-territorial operation, so as to call on the courts of other countries to respect the right of property in slaves; whether the slave trade be in violation of the law of nature, or of the voluntary law of nations; whether that trade be piracy independently of treaties, making it so as between the contracting parties, &c. &c. Our author, in his inquiry into the legal causes of slavery, and how the state of the parent may affect that of his offspring, admits, in the course of his volume, that it may legitimately arise from individual consent, from the necessary disposal of parents, from birth, from the obligation to make reparation for damage done to individuals or to the public, and, lastly, from just war;—all, however, with great and important limitations of the abstract doctrine. He properly distinguishes, on the general question of the alienableness of liberty, between natural, civil, and political liberty, the losing sight of which distinction has been productive of some errors. As to political liberty, when it is considered that, in its absence, no other sort, whether natural or civil, can ever be long or entirely safe, we may certainly conclude with our author, that he who 'yields it up on any occasion whatever, when it can be asserted with any prospect of success, commits such a crime against a prudent economy of his rights, as merits the appellation of a great enormity.'* Our Declaration of Independence asserts the unalienableness of liberty, and the history of human affairs seems to show it is hardly ever entirely alienated in fact. 'There will be found,' says Mackintosh, 'no institution so detestable as an absolutely unbalanced government;' nor has there been any despotism so complete as to prevent the occasional assertion, by the people, of their right to draw back the regards of their rulers to the consideration of their happiness. In these governments, a sudden struggle restores for a while, and in some degree, the balance which free policies aim to secure by regular checks *in favorem libertatis*.

Somewhat in connexion with this subject is the topic which occupies our author's fifth lecture, the 'right of civil government;' that is, on what foundation reposes the authority entrusted to rulers. An American refers that authority but to a single source, the consent of the governed; and so widely and deeply is this maxim established among us, that we hard-

* Page 138.

ly comprehend the opposite and absurd doctrines which have been applied by writers far from contemptible. We hear with incredulity, that royal authority has been defended on the score of *possession*, as if the vulgar adage were as true in politics as in litigation, and as if the *fact* of ruling ill conferred the *right* to do it; that it necessarily descended by *inheritance*, or was unalterably confirmed by *prescription* and *ancient consent*, as if the right, and, we presume, the talent to govern, might be transmitted like an heir-loom; or that it arose out of the *virtues* of rulers, according to the strange conceit of Plato and Aristotle, who held good men to be kings *de jure* and *de facto;* a doctrine which would invalidate the title of many reigns, and cast infirmity sometimes on the elections of the people. Even those who have agreed on *expediency* as the source of the right of civil government, have differed on a very important point, the advocates of kingly power being unwilling to submit to the governed the determination of this expediency; while, in this country, we refer it wholly to their judgment, that is, in the language of natural law, to 'the consent of the governed.'

By what other tribunal shall we determine either the abstract right of government or its particular form, than by this general consent, which decides even the principles of the natural law, and pronounces on vice and virtue themselves? For though, according to our author, a man's assent to actions cannot alter their quality; though there exists a 'fitness of things,' independent of all human opinion, and often mistaken by it; by what other means than human opinion is this fitness to be ascertained; where resides this expediency but in the common judgment; and how is it to be settled, in the particular matter of government, but by the consent of the governed? While this expediency, therefore, must be 'the law to each man's conscience,' there is no human tribunal to enforce that law, except such as may be established by the common consent, or, what comes the nearest to it, and is equivalent to it for this purpose, the consent of the majority; to which foundation, therefore, which is that of our own, our author refers all legitimate government.

This subject is discussed by Mr Hoffman with clearness and good sense. The same praise, indeed, may be emphatically extended to the whole of the lecture on the 'right of civil government.' The seventh, on 'law and its general properties,' evinces both research and thought; and the subject of

the source of the law of nature is well treated in the eighth. Our limits compel us to pass over several matters in the volume, which we intended to make mention of, as well to express our opinion of the manner in which they have been discussed by the author, as to prove the general interest and importance of the questions with which the work is occupied, and their connexion with the studies of the student of mere municipal laws, as well as those of the publicist and the politician. The lecture on feudal law, which concludes the present volume, the first part being a general view of that system on the continent, the second, of its particular modifications in England, is a concise but spirited and lucid abridgment of what may be found more at large in the writers on this subject.

Amidst the great variety of topics treated, or touched on, in this elementary work, we have always to praise the industry with which different opinions are collected and collated, and generally the conclusions at which our author arrives. His method is clear, and his style, for the most part, accurate and easy. Some peculiarities, among which is the occasional too lavish use of epithets, might indeed be pointed out; and he winds up his discussions too frequently with apologies for their introduction or their length. These peculiarities are least apparent when the author grows engaged in his subject, or is employed on topics purely legal. Though the work pretends to no more than the elementary or institutionary character, some of the disquisitions do honor to both the author's ingenuity and his learning. These will be received with respect by that portion of his readers, whose *recollections* only he aims to awaken, while the more familiar points of information abounding in the volume will be generally useful and satisfactory to students. His love of learning is very obvious; nor do we think he overvalues the importance of ethics and natural jurisprudence to law students. If he sometimes praises works on these subjects which have admitted defects, it is probably because he thinks them unduly neglected; for in his 'Course of Legal Study,' as well as in the work under review, he has shown that he has read them, and wishes them to be read, with due selection.

The earnest conviction, indeed, so apparent throughout the present publication, of the benign influence on the minds and studies of jurists, of ethics and metaphysics, brings to remembrance the observations of Professor Stewart on the latter; 'a

word,' he remarks, 'formerly appropriated to the ontology and pneumatology of the schools, but now understood as equally applicable to all those inquiries which have for their object to trace the curious branches of human knowledge to their first principles in the constitution of our nature.' 'Accordingly,' he continues, 'it will be found, on a review of the history of the moral sciences, that the most important steps which have been made in some of those, apparently the most remote from metaphysical pursuits, (in the science, for example, of political economy,) have been made by men trained to the exercise of their intellectual powers by early habits of abstract meditation.'

On the whole, we greatly commend the scope and general execution of the present volume; and are led to anticipate that the analytical and philosophical spirit displayed in it, will, when extended to the whole scheme proposed by the author, produce a comprehensive elementary work, both useful to students, and acceptable to the profession generally.

Art. VI.—1. *Debate in the British House of Commons on the American Tariff, July* 18, 1828.

2. *The American Tariff;* an Article in the Edinburgh Review for December, 1828.

3. *Commerce of the United States and West Indies;* an Article in the London Quarterly Review for January, 1829.

In our late article on the 'Definitions in Political Economy' of Mr Malthus, we took occasion to allude to some remarks upon the Tariff thrown out by a writer in the Edinburgh Review, in a preceding number of that journal; and intimated that if he should, as he then expressed the intention of doing, enter upon a formal discussion of the subject in a future number, we might perhaps in turn be induced to offer some further observations upon it in reply. The writer alluded to has since redeemed his pledge, by publishing the article of which the title is quoted above. It is not, we think, very powerful in substance, or very courteous and candid in manner, and of course does not imperiously call for an answer. But as the question is still under controversy among ourselves; and as British opinions on all subjects have a good deal of weight in this country, although

upon this at least, in which Great Britain is a party directly interested, they are perhaps entitled, as such, to very little; we shall briefly examine on this occasion those which are stated in the article alluded to, as well as those which have been put forth in one or two other quarters of considerable authority in the mother country in reference to the same subject. The article in the London Quarterly Review, of which the title is prefixed, is principally devoted to the question of the Colonial trade, but takes up at the close that of the Tariff, and it is to this latter part alone that we propose at present to direct our attention. The debate in the House of Commons was short and accidental, but afforded opportunity for several members of different parties to express in general terms their respective views; and it is more for this reason, than for the purpose of particularly noticing the arguments advanced by the speakers, that we have included it among the subjects of this article.

It is in fact the most remarkable circumstance in the state of opinion upon this question in the mother country, that all persons of all parties, who have said anything about it, have concurred, we believe without a single exception, in condemning the American system. Whigs, tories, and radicals, economists and anti-economists, politicians that differ completely upon almost every other point, seem to agree exactly upon this. Thus in the House of Commons Mr Huskisson, a liberal tory, opens the debate by a decided condemnation of our protecting policy. Mr Hume, a thorough reformer, is equally clear against the system, although he finds some apology for it in the British corn laws. Mr Peel, the minister, and a pure tory, agrees with pleasure to Mr Huskisson's request for a copy of the Tariff, and cordially joins him in denouncing this unlucky measure. Messrs Trant, Robinson, and Stuart hold the same language; and finally Mr C. Grant closes the debate by expressing the satisfaction he had experienced on hearing his Right Honorable friend (Mr Huskisson) bring forward the motion, which is then agreed to without opposition. This unanimity among the different parties in the House is, we think, a remarkable thing; and it is also worth attention that most, if not all the persons, who have expressed opinions against the Tariff on this and other occasions, are more concerned about the interest of the United States than that of England. They pass over, somewhat lightly, the question, how far this measure may affect their own manufacturers, and are generally inclined to think

that it will do them little or no harm; but they are all fully satisfied that it is fraught with the most pernicious consequences to us. Mr Huskisson states 'his decided impression, that the interest of the United States would be greatly prejudiced by the course they were about to pursue, and declares that he can prove it to a demonstration;' but 'does not apprehend that Great Britain will suffer by the duties which the Americans have imposed for the protection of their industry.' Mr Hume pronounces the protecting policy 'foolish, narrow, injurious, and mischievous;' and adds, that it was 'manfully opposed by *all* the intelligent men in Congress;' but, has no hesitation in saying, that, 'if America should shut out every article of British manufacture, an ample market for them would easily be found in other quarters.' Mr Peel 'has no doubt that even should the immediate result be to encourage our domestic industry, the final effect would be against us;' and Mr Grant 'rejoices that the subject has been started, because it affords an opportunity for giving us a little wholesome advice in regard to the mistaken course of policy which we are pursuing, and which must in the end operate to the detriment of the funds of the United States, by lessening the amount of our import duties, and making it necessary for us to increase our direct taxes.'

The same exclusive regard for the interest of the United States is observable in the opinions expressed in other quarters, and some of these good-natured critics are evidently quite out of humor with us for not being more attentive to our own good. 'If America,' says the Courier newspaper, 'fancies that she will promote her own prosperity by shutting herself in surly selfishness from the world, she will be grievously disappointed. The system of exclusion laid down in this Tariff will produce her as little profit in a commercial view, as honor in a national one.' In like manner the burden of the article in the Edinburgh Review now before us is the fatal influence which the Tariff must necessarily exercise, not on Great Britain, but on ourselves. 'What we object to in their conduct,' says the Review, 'is, that they mistake wherein their own interest really lies, and that their restrictions and prohibitions, by narrowing the field of commercial enterprise, are a public and general nuisance, though it is certain that they are infinitely more injurious to themselves than to any other people.' Again, in a tone of mingled flattery and reproach, like that of a kind parent endeavoring to coax a promising but wayward

boy ; 'Why should Jonathan, who is so very sharp-sighted on other practical questions, be so very blind on this ?' and afterwards, in the same style of elegant pleasantry ; 'Who will now presume to say that John Bull is the greatest goose in the world ? Had he been in Jonathan's place, we believe he would have said, that it was clearly for his interest to buy his woollens, cottons, and hardware, wherever he could get them cheapest.' 'In our ignorance we long imagined that John Bull had been the most gullible of animals, but if Jonathan can swallow such assertions as these, then John has not a vestige of claim to that distinction.' All this display of argument and humor is completely disinterested, for 'America cannot inflict any material injury on us by refusing to buy our products, although at present she might injure us by refusing to *sell*.' The writer in the Quarterly does not yield in disinterestedness to his brother of Edinburgh, and is, if possible, even more decidedly and exclusively American. 'We shall point out the effects of the Tariff, not as they regard Great Britain, France, Russia, Germany, and the Netherlands, but as they regard the interests of the United States as a whole.' He then proceeds to enlarge upon the subject, principally under a political point of view ; enters at some length into the controversy that has arisen among us, whether the Tariff law be or be not consistent with the constitution ; and concludes by affirming, that whether we succeed in preventing the importation of foreign manufactures, or whether the people obtain their supplies by the contraband trade, the Tariff will in either event infallibly destroy the revenue. Notwithstanding the complete security felt by these writers in regard to the effect of the Tariff on British interests, they sometimes admit, for argument's sake, that it may to a certain extent diminish the imports of manufactured goods ; but the supposition of even this extreme case gives them no alarm. They have a remedy prepared, to the application of which they evidently look forward with much complacency. There is a grand corrector ready, whose influence upon vicious commercial and financial legislation they consider as hardly less beneficial, than that of the school-master is supposed by Mr Brougham to be upon political institutions in general. 'The smuggler, provided we allow him to bring back equivalents, will take care of our interests.' Under such high protection they are of course safe ;

'The gods take care of Cato,'

and the British statesmen and writers are quite at leisure to devise the best means of saving poor Jonathan from the disastrous consequences of his own ignorance and folly.

Poor Jonathan will doubtless feel himself too highly flattered by these unusual testimonies of interest and friendship on the part of his respectable elder brother to suppose for a moment that anything more is meant than meets the ear; nor will he probably resent very highly the reflection implied in them upon his capacity to take care of himself, when he finds it sugared over by so many pretty compliments and fond familiarities. Admitting therefore that the regard for our interest professed by these writers, and by all classes of the British public on this occasion, is entirely sincere and disinterested, and offering with equal sincerity our best acknowledgments in return, we may still perhaps be permitted to inquire, whether it be quite certain that this zeal is according to knowledge. Are our transatlantic friends so fully acquainted with all the circumstances, geographical, statistical, and political, of our situation, as to be able to judge with unerring certainty, at three thousand miles' distance, what measures will best promote our good? Supposing their disposition to serve us to be as great as our own to serve ourselves, and their ability as much greater, as they may think proper to imagine it, do they possess the complete magazine of facts which would enable them to exhibit this disposition and exert this ability in such a way as to produce beneficial results? Is not their inferiority to us in this latter respect necessarily as obvious, as their superiority may be, and in their own judgment probably is, in the other? Differences among intelligent and candid men turn much less frequently upon general principles, than upon the manner of applying them. In this particular case there is little or no dispute about principles, and the only question is about the form under which acknowledged truths are to be reduced to practice in the United States. Now will any British statesman of tolerable candor undertake to affirm, that his advantages for coming to a correct opinion upon such a question are equal to ours? Would any prudent British physician so far commit himself, as to declare positively upon the strength of a reported case, that a patient who had received the best medical advice that could be had at New York or Boston, had been improperly treated? And yet how few and simple are the symptoms of even the most difficult and complicated case of illness com-

pared with the vast variety of details that make up the situation, for the time being, of a great community, and which must all be kept in view for the purpose of legislation, especially on matters of an economical kind? The very maxim upon which the British writers found their reasoning against the protecting system is, that every man understands his own interest best, and will take better care of himself, than any body else can take of him. But is not this principle, the general correctness of which we readily admit, as true of communities as it is of individuals? Is it not as completely against these writers on one view of the case, as they suppose it to be against us on another? It is quite clear that the very argument upon which they rest with so much apparent confidence, may be urged by us as a peremptory and unanswerable plea to the jurisdiction of their tribunal, and ought to prevent any British politician from pretending to offer an opinion on the subject in any other way than as a matter of general speculation.

There are two inconveniences in reasoning from general principles without a sufficient knowledge of the circumstances under which they are to be applied. One is, that we are apt to leave out of view facts of importance, that ought to be considered, and the other, that we are apt to keep in view the facts of the case with which we are most familiar, but which may not exist in the one before us. It is easy to see, upon a survey of the British opinions upon our Tariff, that the judgments of our transatlantic friends have been warped by both these causes of error. They take no notice, as we shall have occasion to show, of the various weighty and urgent considerations deduced from the actual situation of the United States, which in our minds are completely decisive of the whole question; and they evidently reason on the supposition of a state of things similar to that which now exists in Great Britain. The general introduction, throughout the world, of the system of an unrestrained importation of foreign manufactures would be highly beneficial to Great Britain; therefore it would be highly beneficial to every other country. Such is the sum and substance of the argument. But mark the difference of the operation of this principle under the different circumstances of Great Britain and the United States. As respects the former country, where capital is abundant and almost every branch of manufactures flourishing to an unprecedented extent, the effect

of the general introduction of the principle is to facilitate the entrance of British manufactures into foreign markets. As respects other countries, that are differently circumstanced, and especially the United States, the effect is to facilitate the entrance of foreign manufactures into the domestic market. In the former case it encourages domestic manufactures; in the latter, it destroys them. Can it be maintained with a shadow of plausibility, that a principle which, under different circumstances, produces such directly opposite results, is to be applied indiscriminately throughout the world, without consideration of the actual situation of particular countries? The precise object of the British politicians in desiring the extension of the system of free importation, is to encourage their own domestic manufactures. We find no fault with them for this, but, on the contrary, approve and admire the zeal with which they pursue a really valuable and patriotic purpose. But can they in turn complain, if we pursue the very same purpose of encouraging our domestic manufactures, though by a different process? Or if they do, is it not obvious to the slightest observation, that they are viewing our policy through the medium of their own interest? Of this again we make no complaint. It is quite natural, and perhaps commendable, that British statesmen should look at everything through British spectacles. But are we to be the dupes of such palpable sophistry? If we are, we shall exhibit but little of the sagacity which the Edinburgh Reviewer is pleased to consider as a characteristic of Jonathan. The grossness of this sophistry was well exposed by Mr de St Cricq, the late intelligent French minister of commerce, in conversation with Mr Huskisson, who was exhorting him to consent to place the relations of the two countries upon the footing of low duties, and a reciprocally free importation of their respective products. The anecdote has found its way into the newspapers, and is worth repeating and keeping in mind. 'The system you propose,' said Mr de St Cricq, 'is excellent for you and detestable for us for precisely the same reason; that is, because we both wish to extend and foster our domestic industry. The operation of it would be to ruin our fabrics, and to build up yours. It is a natural if not a modest request in you to urge us in this way to sacrifice our resources for your benefit; but if we are not surprised at your making the proposal, you will probably not take it ill that we decline it. When our

manufactures are so well established and flourishing as to defy competition, and command the markets of the world, we will then consent to admit yours on a footing of reciprocity. Till then, permit us to adhere to our present policy.' If Mr Huskisson did not wince a little at this retort courteous, his *power of face* must be at least on a par with his intellectual talent, which is certainly respectable.

The beautiful consistency of the British mode of reasoning upon this subject is rendered, if possible, still more conspicuous by a recollection of the suddenness of their conversion to the principle of free and unrestricted trade. For centuries in succession, they kept their ports hermetically sealed against any foreign product, which could possibly be made at home. If every bale and parcel of manufactures from every part of the world had been infected with the plague, the exclusion could not have been enforced with a more strict and relentless jealousy. For the same general purpose the colonies, and those in particular which now form the United States, were prohibited from exercising any species of manufacturing industry, and compelled to receive every article of use, comfort, or luxury, from England. The convenience of every other nation, of their own subjects in every other part of the world, was systematically sacrificed to the promotion of domestic manufactures in the British islands. By a resolute and persevering adherence to this system they finally carry their manufactures to such a height of perfection, that they have not only nothing to fear from foreign competition in the home market, but can enter with advantage into competition with foreign nations even in their own markets. No sooner does this take place, than the statesmen of England perceive at once the error of the exclusive system upon which they have been acting for centuries, and the incontestible truth of the opposite one, as a universal rule of practice. At the same moment they commence a series of negotiations with foreign governments, for the benevolent purpose of engaging them to ruin their own manufactures for the sake of promoting those of Great Britain; and from this time forward, all such foreign governments as do not choose to adopt this patriotic policy, but, on the contrary, continue to act on the principles that have made the prosperity of England, are saluted by the unanimous voice of all the British politicians and writers of all parties and classes with the agreeable charges of gross stupidity, shameful ignorance, and we

know not what. 'They are greater geese than John Bull.' 'They out-Herod George Rose, and would satisfy Lord Malmesbury.' 'Their systems are more iniquitous and absurd than anything in the commercial codes of Austria and Spain.' 'There is no possibility of accounting for the existence of such blockheads as the leading American statesmen, unless by supposing, on the old theory of the metempsychosis, that the soul of Lord Lauderdale (who by the by will probably hear with some surprise the news of his own death) has revived, and now animates another body on the western side of the Atlantic.' In the mean time we may hope, that, under the full effulgence of all this new light upon the subject, the liberal system is at least carried into complete execution in Great Britain itself. Quite the contrary. Still, as before, not a pennyworth of anything foreign is admitted, that can possibly come into competition with any product of domestic industry. Bread itself, the staff of life, must be bought by the people at two or three times its natural price, rather than endanger the interest of the landholders by the admission of foreign grain. In times of scarcity we are invited to relieve their distress, but when plenty returns, the door is again shut in our faces. In short, the commercial liberality of our excellent elder brother stops, as it begins, at the point which appears most suitable for the promotion of his own domestic industry. Against this system we make, as we have said before, no complaint. We think it, on the contrary, the true and correct one. But we really do wonder at the barefacedness with which the British writers upbraid foreign nations in the foulest and most unmeasured language, for no other cause than acting upon British principles, because these principles, when acted upon by others, do not happen to be in exact accordance with British interests.*

* The writer of an article on Russia in the Quarterly Review for January, 1829, takes the British residents at Brussels pretty severely to task for spending their fortunes abroad, although, as he admits, 'they are able to live there, with comparative affluence, on an annual income which would not enable them, without the strictest economy, to struggle through life at home.' In other words, he conceives, that they ought to pay three or four times as much for the necessaries and comforts of life as they cost elsewhere, rather than not have them of English produce. Pursuing his author into Germany, he finds, to his great surprise, that the natives of that country prefer their own hardware, though of inferior quality, to the British. Consistency would seem to require, that their conduct in this respect should be com-

We hardly know a parallel for this inconsistency, unless it be in the conduct of the same British government upon the question of the slave trade. After carrying on this traffic for centuries to a greater extent than any other nation; after buying of Spain the monopoly of it between her and her colonies; after a debate upon the subject of twenty years' continuance in both houses of Parliament, Great Britain finally resolves to abolish it. From that moment the propriety of abolishing it is so perfectly clear, that it is a crime for any other nation to hesitate a moment. The aid of the British navy is politely offered to all the friendly and allied powers for the enforcement of their own laws on the subject, and his Catholic Majesty (like a lawyer who takes a fee on both sides of the same case) is now bribed not to carry on at all the trade, which he was before bribed to allow Great Britain to carry on for him. Both these examples exhibit the intense nationality of John Bull in a remarkable and somewhat ludicrous point of view. As respects the slave trade, the really humane, we may almost say, sacred character of the cause throws a veil over all sorts of irregularities, and makes even absurdity respectable. In the other case there is no such palliating circumstance; and we would really counsel our transatlantic brethren to be a little more circumspect in their egotism, unless they wish to make their island the laughing-stock as well as the workshop of the world.

We conceive, however, that, for the reasons we have stated, the opinions of the British writers on this question ought not, as such, to be allowed much weight. Independently of the direct interest which they have in opposing our system, and giving them all the credit for honesty, ability, and even disinterested attachment to the United States, to which they are fairly entitled, and as much more as they choose to claim, the essential difficulties which we have indicated still remain, and must for ever incapacitate them from giving us any counsel on

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mended as a trait of laudable patriotism; but, instead of this, they are severely reprimanded, and treated with the unceremonious qualification of *muzzy-headed smokers.* 'This,' says he, 'is carrying patriotism or prejudice to a great length indeed. We venture to say, that a pair of English scissors may be afforded at Leipsic for three half pence, better than any that can be made in Germany for six pence; but it would be difficult to persuade the muzzy-headed smokers of this.' The worthy critic appears to us to carry both patriotism and prejudice a little farther than even the Germans.

the subject of real value. They cannot possibly possess the necessary knowledge of facts, nor can they, even with the best intentions in the world, avoid looking at the question through the medium of their own habitual feelings and opinions. Their judgments are therefore necessarily suspicious, and can carry no authority with them, excepting such as they may derive from the intrinsic strength of the reasoning by which they are supported. There is one point of view indeed, and one only, under which the British opinions on this subject are entitled, as such, to some attention; and that is, when we consider them as indications of the efficiency of the Tariff for the accomplishment of its objects. We are far from supposing, that the British writers intend to deceive us when they represent themselves as arguing the question exclusively with reference to American interests; but we are not quite sure, that they have not partially deceived themselves, and that the singular zeal for our welfare and prosperity, which they unanimously profess on this occasion, is not, in some degree at least, the effect of a secret consciousness, that their own manufactures will be injured by the permanent establishment of the American system. We are aware, that they pointedly and loudly disclaim any such fears, and profess the most perfect security; nor are we any more disposed to doubt the sincerity of these protestations than that of the others; but it is not impossible, or rather it is quite consistent with the ordinary course of human feeling and action in such cases, that these writers should express their hopes under the form of opinions, and should endeavor to persuade others of what they would gladly persuade themselves. Without intending, in short, to represent the British politicians as worse or better than those of any other country, we are strongly inclined to regard their present extraordinary and unprecedented zeal for our good as merely an indirect expression of that which they usually and ordinarily feel for their own; and must venture to interpret their profuse and repeated professions of perfect security, as unconscious and involuntary indications of a good deal of real apprehension at bottom. Thus considered, these publications are valuable to us as proofs of the extent to which the Tariff is likely to operate upon Great Britain. It can never, of course, be the wish or the policy of the United States to adopt any measure for the direct purpose of injuring that or any other country, excepting in time of war; but it is clear, that in the present case we can only effect

our object, which is that of protecting and extending our own manufactures, by diminishing the importation of British ones. The extent, to which this diminution takes place, is therefore an exact measure of the benefit that will accrue to ourselves; and if we have reason to suppose, from the loudness and unanimity of the expression (in whatever way, direct or indirect,) of British feeling on the occasion, that the diminution is likely to be considerable, we know by the best possible evidence, that we are on the right track; that the Tariff is what we meant that it should be; and that, by giving it a fair trial, we shall be able to assure ourselves, whether the adoption of a *bonâ fide* American policy be or be not as beneficial a thing to us as we have reason to suppose it. When, therefore, we find the British writers so busily engaged in endeavoring to reason, persuade, advise, coax, flatter, wheedle, and frighten us out of our system, we ought to look upon them as exhorting us all the time, by the strongest arguments they could possibly use, and the only ones to which we could safely listen, to persevere in it. Such, in our view, is the only lesson which the British opinions on this subject are fitted, as such, to convey to us, and it is one which, we trust, will not be lost upon the American public.

But although we can derive no other instruction than this from the British opinions on the Tariff, considered as such, it is nevertheless natural and proper to give a reasonable degree of attention to the arguments by which they are supported. We owe it to ourselves to improve every opportunity for extending our information and correcting our conclusions upon matters of public policy; and if the British can really give us any valuable hints upon the one now under consideration, we ought to allow them their just weight, however questionable the shape under which they come. Having therefore, in the preceding pages, cautioned our readers against the error of putting implicit faith in such suggestions, and shown, as we trust, satisfactorily, that the authority of the British writers is of a negative, rather than positive kind, we shall now proceed to examine, with the brevity that suits the present occasion, their reasoning, and particularly that of the Edinburgh Reviewer. There is little or no novelty in the statement of the argument given in the article before us, but it may be fairly enough considered as a summary, in a not very powerful form, of what can be said upon the subject; and we shall of course have opportunity

in noticing it to take a rapid survey of the leading points of the discussion.

We have no disposition, as we have already intimated, to contest the correctness of the general principle of the equilibrium of trade, although we are of opinion, that it can only be received, even as a general principle, with important qualifications. It is also unnecessary to examine here the nature and extent of these qualifications; for although the principle is assumed by the Reviewer in the article before us, the correctness of his conclusions does not depend at all upon the greater or less degree of extension that may be given to it in the abstract. He very properly argues the question upon considerations deduced from the peculiar circumstances of the United States. He fully admits the great advantages that, in general, accrue to a country from the possession of domestic manufactures, and is ready to assent to all that General Hamilton has said to this effect *and much more*. He also admits, with equal frankness, that our manufactures cannot at present sustain the competition with those of Great Britain, and that a free importation of the latter would ruin them. The natural conclusion from these premises would appear to be entirely in favor of the protecting system. The Reviewer attempts, however, to make out, that the case of the United States is a sort of exception from the general rule; that, under our peculiar circumstances, agriculture is obviously and decidedly the most profitable employment of capital; that all the labor and capital which we may invest in manufactures must be withdrawn or transferred from agriculture; and that the community sustains a loss by such transfer proportional to the difference in the profitableness of the two sorts of business. The following extract will give the reader a correct idea of the tenor of his reasoning.

'Among the supporters of the restrictive system in America, the first place is due to the late General Hamilton. His celebrated Report on the subject of manufactures was presented to the House of Representatives towards the close of 1791. It had a very great effect. It is written with considerable talent, and is well calculated to make an impression on those who have not analyzed the real sources of wealth. A very slight examination is, however, sufficient to show the fallacy of the principles on which it is founded. General Hamilton dwells at great length on the advantages resulting from the establishment of manufactures, on the stimulus which they give to industry and invention,

the ample field which they lay open for enterprise, and the great scope which they furnish for the exercise of the various talents and dispositions with which men are endowed. That all this, and much more, may be truly said in praise of manufactures, no one, with perhaps the exception of the Laureate, will presume to deny. But the point which General Hamilton had to consider, was not whether the prosecution of manufacturing industry was, abstractly considered, advantageous, but whether it was for the advantage of the United States to *force* the establishment of manufactures by imposing duties and prohibitions on the importation of manufactured goods from abroad. He has not indeed wholly overlooked this part of the question; but, as was to be expected, he has entirely failed to make good his view of the case.

'That the great principle of the division of labor ought to be respected by states as well as by individuals, is a doctrine too well established to require us to say one word in its defence. The circumstances too, under which America is placed, render it peculiarly incumbent on her not to lose sight of this principle. It is not easy to say what species of industry is best for most parts of the old-settled and densely peopled countries of Europe, or which they may prosecute with the greatest advantage. Industry is amongst them in a state of perpetual oscillation; every new discovery in the arts attracting capital to manufactures, and every improvement in agriculture again drawing it back to the land. But this is not the case in America. There neither is, nor can be, any doubt about the species of industry which it is most for *her* advantage to prosecute. And it is admitted by General Hamilton, and has been admitted by all the subsequent advocates of duties and prohibitions, that, were government to abstain from interfering to protect manufactures, none but the coarser and bulkier sorts could maintain themselves, and that agriculture would draw to itself most of the capital and industry of the nation. Nor is it difficult to perceive why this should be so. The most fertile lands of England, France, and most other European countries, have been long since exhausted; and we are now compelled to resort to soils of very inferior fertility to obtain a part of our supplies of food. But America is in a totally different situation. She is still possessed of an almost unlimited extent of fertile and unappropriated land; and it is as obviously her interest to apply herself in preference to its cultivation, and to obtain supplies of the finer sorts of manufactured goods from nations less favorably situated for the prosecution of agricultural industry, as it is the interest of the West-Indians to apply themselves to the raising of sugar and coffee. The growth of raw produce *must*, for a long series of years, be the most profitable species of employment in which the citizens of America can engage. There

can be no doubt indeed, that those branches of manufacture naturally adapted to her peculiar situation will gradually grow up and flourish in America, according as her population becomes denser, and as the advantage, which now exists on the side of agriculture, becomes less obvious and decided. But to encourage, by means of duties and prohibitions, the *premature* growth of manufactures, is plainly to force a portion of the industry and capital of the nation into channels into which it would not otherwise have flowed, because it would, but for these duties and prohibitions, be less productively employed in them, than in those in which it was already invested.

'Whatever therefore may be said with respect to the restrictive system in other countries, in America it seems to be destitute even of the shadow of an excuse. The advantages on the side of agricultural industry are there so very signal and obvious, that to attempt forcibly to draw capital from it to manufactures is really to adopt that precise line of conduct which is best fitted to check the progress of wealth and population. But though the advantages on the side of agriculture were less obvious than they are, the policy of the American legislature would yet be wholly indefensible. Let it be supposed, in illustration of the effect of prohibitions, that America has been accustomed annually to import a million's worth of woollens, or some other manufactured product, from Great Britain, France, or any other foreign country; and let it be farther supposed, that, in order to encourage the manufacture of a similar article at home, she prohibits its importation. Now, in this case,—and what is true of this case is true of all restrictions whatever,—it is in the first place plain, that to whatever extent the home demand for the produce of American industry may be increased by the prohibition, the foreign demand for that produce will be equally diminished. Commerce is merely an exchange of equivalents; and those who refuse to import, really by so doing refuse to export. If America cease to buy a million's worth of produce from foreigners, she *must* at the same time cease *selling* to them a million's worth of some other species of produce; that is, she must cease sending to the foreigner the articles she had previously been accustomed to export to pay for the articles obtained from him, that are in future, through the agency of the prohibition, to be obtained at home. All therefore, that she will accomplish by this measure, will be the transference of capital from one branch of industry to another. That equality of protection to which all the citizens of the Union are justly entitled, will be encroached upon; the increase of one employment will be brought about by the depression of some other employment which, to say the very least, was equally advantageous. But it is obviously false to affirm, that such a measure

can make the smallest addition to the capital and industry of the republic, or to the facilities for employing them with security and advantage.'

The reasoning in the above extract, stated in a more condensed form, seems to be substantially as follows. Although it is generally advantageous to a country to supply its own demand for manufactured articles as well as for agricultural produce, yet as the United States, from the great abundance and cheapness of land, have peculiar facilities for agriculture, and as some other countries, particularly Great Britain, possess, in the abundance of capital and cheapness of labor, peculiar facilities for manufactures, it is more advantageous for the United States, under these circumstances, to devote themselves exclusively to agriculture, and exchange a part of their agricultural produce with Great Britain for manufactures, than to attempt to manufacture for themselves. This, we suppose, will be considered by the Reviewer as a fair statement of the argument; and we can easily conceive of two communities so situated, that an intercourse of the kind here contemplated would, in fact, be mutually and equally profitable. Such is the nature of the commerce which regularly takes place between all cities and the country around them; and if Great Britain and the United States were neighboring communities, forming constituent parts of one political association, and possessing a complete liberty of mutual intercourse, we should feel no difficulty in assenting to the Reviewer's conclusion. But under the actual circumstances of the case, there are, as we conceive, two or three objections of a very stubborn and peremptory character, not merely to the policy or expediency, but to the practicability of the arrangement suggested by this writer. It can, we think, very easily be shown, that it is wholly impossible for the United States to receive their supplies of manufactured articles in the way above described, and that the absence of domestic manufactures is equivalent in practice to the absence of all manufactures.

1. It is obviously impossible for us to receive our manufactures from Great Britain in exchange for the surplus quantity of agricultural produce which we should obtain by devoting ourselves exclusively to agriculture, unless Great Britain will consent in turn to receive our agricultural produce in exchange for her manufactures. But it is well known, that Great Britain, by her interdiction of the importation of foreign grain, refuses

to receive the agricultural produce of all that part of our population which is employed in raising grain, and which composes at least two thirds of the whole. The embarrassments which she throws in the way of our intercourse with her West-Indian colonies, as far as they diminish the value of that branch of trade, are equivalent in practice to a refusal to receive another considerable portion of our agricultural produce. We make no complaint of this policy, either as respects the corn laws or the colonial trade. We willingly leave it to British statesmen to judge what measures are best fitted to promote British interests; and as these are ostensibly and professedly directed to the promotion of the domestic industry of the kingdom, the end is undoubtedly laudable, whatever may be thought of the prudence of the means. We only say, that while Great Britain refuses to receive the agricultural produce of two thirds of the population of the United States, it is impossible for two thirds of the population of the United States to send her their agricultural produce in exchange for her manufactures, and that the system which the Reviewer proposes as a substitute for that of domestic manufactures, is of course, as far at least as respects two thirds of our population, out of the question.

It is true, that the Reviewer appears individually to disapprove the policy of the corn laws, and even asserts explicitly, that he is quite as hostile to them as any foreigner, whether American or Pole, possibly can be. He says, that he looks upon them as decidedly opposed to all the best interests of Great Britain; as occasioning the misemployment of a large amount of industry and capital; as multiplying at one and the same time the chances not only of famine but also of glut; and as tending, by raising the average price of food, and consequently the rate of wages, to an artificial elevation, to depress the rate of profit, and cause the transference of capital to other countries. He is willing to assent to all that can be said, even by the Harrisburgh delegates, in vituperation of the corn laws, and affirms, that it is therefore *needless* to tell him, that England has acted, and is in this instance still acting, upon that very system of policy which he condemns. It is not impossible, that, if the occasion had appeared to require it, the Reviewer might have been equally explicit in his disapprobation of the British colonial system, which has not in general been much in favor with the writers of his fraternity. But while we cheerfully admit, that it would be quite superfluous

to employ much time and labor, in attempting to convince him of the impolicy of the corn laws, of which he seems to be so fully satisfied, it is apparently not wholly unnecessary,—since the consideration seems to have escaped him,—to remind him, that the unfavorable opinion which he entertains of these laws, does not authorize the cultivator of the United States to export his produce to Great Britain. It is absolutely necessary for this purpose, that the prohibitory act of Parliament should be repealed. The Reviewer must surely be aware, that the mere signature of *Robert Peel*, or the person, whoever else he may be, that signs the instructions founded in that act, would have more weight with the custom-house officers, than a whole article in the Edinburgh Review, or even the Quarterly, which, of the two, would probably be viewed at the custom-house as much the better authority. If a shipmaster from the United States should enter one of the British ports with a cargo of flour, and on being met by the prohibitory act, should allege in reply, that this act was in opposition to the theories of Adam Smith, had been formally disapproved in the Edinburgh Review, and was consequently not in force, there cannot be a doubt that the collector would refuse to listen to him; and it is not improbable, that the fact would be commented upon in the next following numbers of the leading reviews, and placed on record with the memorable affair of the *geocentric latitude*, as another example of the characteristic cunning with which Jonathan so often, and in general so unsuccessfully, attempts to overreach the straight-forward honesty of his unsuspecting elder brother. It is in short abundantly clear that if the writer before us wish to make his opinion upon the corn laws bear upon the state of the commercial relations between the two countries, he can only succeed, by inducing the British Government to adopt that opinion. It is really not our fault if we do not send to Great Britain, in exchange for manufactures, the agricultural produce which Great Britain refuses to take; and it is therefore to his own ministry, and not to us, that the Reviewer should address his mingled strain of argument, reproof, and raillery. So able a writer, by giving his labor the proper direction, may doubtless carry his point without much difficulty; but until he has done this, we may venture to say to him in his own words, and perhaps with more propriety, that it is needless for him to tell us what he thinks of the corn laws,

since his opinion of them, whether favorable, or unfavorable, can in no way modify their effect upon our commerce.

The Reviewer affirms indeed in the course of the article, that Mr Otis and others are mistaken in supposing that Great Britain refuses to take from us any considerable portion of our produce. It is really amusing to see the cool and unhesitating confidence with which this transatlantic journalist represents our most enlightened citizens as not knowing what portions of our produce Great Britain will or will not take from us; nor is it easy to see how he reconciles this assertion with his large and frank admissions in regard to the corn laws. If he believe himself what he says, he must of course suppose that grain does not form a considerable portion of the produce of the United States; and if such be his opinion, the fact only shows that he is, as we intimated in our preliminary remarks that every foreign writer necessarily must be, destitute of the information respecting the statistical and political situation of the United States which is indispensable to the formation of a correct judgment on the policy of the Tariff. The part of the population employed principally in raising grain, which we have rated at two thirds, was estimated by Mr Clay in his excellent speech on the Tariff of 1825 at four fifths, and we have no doubt that his computation is the more correct of the two. Mr Addington, an intelligent English gentleman, who resided several years among us as a diplomatic agent of his government and is now their minister at Madrid, has given a correct view of the subject in his official correspondence with his employers, which has since been published. He there states in substance, that it cannot reasonably be expected of us to take British manufactures in exchange for our produce, while we are prohibited by Great Britain herself from giving our produce in exchange for her manufactures; and he intimates it as his belief, that if the British corn laws had never existed, the protecting policy would not have been thought of among us, because the great grain-growing middle states, which have been, and still are, its principal supporters, would in that case have had no adequate motive for desiring its adoption.

2. We do not however quite agree with Mr Addington in this latter opinion. Although the British corn laws render it physically impossible for the greater part of our population to consume British manufactures, and ought therefore to prevent every Englishman who has the least sense of shame or consis-

tency from uttering a word against our protecting policy, we are nevertheless far from being certain that a repeal of these laws would materially alter the case ; and the second objection we have to oppose to the policy recommended by the Reviewer, as a substitute for that of domestic manufactures, is, that it is rendered impracticable not only by the act of the British government itself, but by the still more decisive and inexorable fiat of nature. The commerce contemplated by the Reviewer between an exclusively agricultural community on the one hand and an exclusively manufacturing community on the other, might, as we have intimated above, be carried on with profit between neighboring regions forming parts of the same political association, and is in fact habitually carried on with great mutual advantage between the inhabitants of towns and of the country around them ; but it cannot in the nature of things possibly exist between two great nations politically independent, situated on opposite sides of a vast intervening ocean, and in different quarters of the globe. The mere fact of political independence opposes an insuperable obstacle to this arrangement, as we shall presently show ; but waving this consideration, and looking at the subject simply under an economical point of view, we would venture to ask this writer whether it be in his opinion, we will not say expedient or desirable, but physically practicable for the different classes of laborers which enter into the composition of all societies, economically considered, to dwell on opposite sides of the globe and exchange their several products at the distance of thousands of miles. Will the Reviewer himself undertake to affirm that it is possible for the tailors, hatters, shoemakers, and other manufacturers of England or France to receive their grain, meat, vegetables, and materials from the cultivators on the banks of the Monongahela and the Allegany, and the latter in turn, their hats, coats, shoes, and other manufactured articles from Paris and London ? We know that by improvements in the modes and means of transportation much may be effected in the way of shortening distances and bringing remote places into communication with each other ; but it is not less obvious that there are certain limits, and those by no means very extensive, beyond which it is impossible for communities to depend upon each other for supplies of the necessaries and comforts of life. The interchange of articles of ordinary use supposes in the first place, and absolutely requires, a great deal of personal communica-

tion between the parties. Clothing for example must be made to suit the person of the wearer. Is the London tailor then to make a voyage across the Atlantic in order to measure his customer on the banks of the Susquehannah and the Wabash, or are the latter to leave their estates and repair to the other side of the world to be measured every time they want a new coat or a new pair of boots? Of agricultural articles again many are perishable, and will not bear transportation. The fresh meats, vegetables, and fruits, which enter so largely into the ordinary consumption of civilized communities must be consumed in the neighborhood of the spot where they are raised, or not at all. Of agricultural articles that are not perishable, almost all are bulky, and can only be transported to a great distance, even with the advantage of the greatest facilities and the most improved methods, at an expense which vastly augments their original value, and of course diminishes the demand for them to the same extent. It is in short so abundantly clear that a commerce in the necessaries and comforts of life, like that which is carried on everywhere between town and country, cannot possibly be carried on between remote communities like Great Britain and the United States, that we really deem it superfluous to waste many words upon the subject. Such is the force of truth, that the Reviewer himself, at the very moment of recommending this impracticable intercourse, draws with sufficient correctness the distinction between the manufactures which we might conveniently receive from abroad, and those with which we should naturally supply ourselves; and the only wonder is, that he did not perceive that his concessions on this head were fatal to his own argument. He admits in the above extract that it would be natural and expedient for us to manufacture at home the coarser and bulkier articles of ordinary use, without appearing to recollect that it is precisely upon these coarse and bulky articles, which compose the great mass of our imports from Great Britain, that the present question turns. It is acknowledged by all to be a matter of comparatively small importance whether we make at home or receive from abroad our jewelry, laces, wines, and other such products of mere luxury, because the consumption of them is necessarily in any case extremely limited. The coarse and bulky articles of ordinary use, whose cheapness renders them accessible to the mass of consumers, the cotton and woollen cloths and hardware of middling and inferior qualities, are the

great objects of attention. It is precisely these with which Great Britain would willingly supply us, and of which we, on the contrary, are desirous to encourage the domestic manufacture. When therefore the Reviewer grants that it is better for us to manufacture the coarser and bulkier articles at home, he in fact concedes the whole question. But his remark on the subject, though completely sufficient as a refutation of his own reasoning, conveys nevertheless a very inadequate idea of the state of the case. It is not enough to say with him that it would be more for our advantage to manufacture at home the coarser and bulkier articles. The real truth is, as we have shown above, and as must be obvious to all on the least reflection, that a trade between remote communities in objects of this description is in its nature impracticable, and that as far as such objects are concerned, the absence of domestic manufactures is equivalent in practice to the absence of all manufactures.

3. Beside these two objections, either of which would perhaps be considered by judicious readers as decisive against the plan of the Reviewer, there is yet a third of a not less peremptory character, which results from the political separation and mutual independence of Great Britain and the United States. The Reviewer has a paragraph on this subject which we quote entire, as a curious specimen of the way in which the most obvious and weighty considerations lose their character under the contracted observation of a narrow and prejudiced mind.

'Some members of the American legislature, who advocate the protecting system, and of the purity of whose motives no doubt can be entertained, seem to lay a great deal of stress on the assumed principle, that no people can truly be said to be *independent*, if they are indebted to foreigners for supplies of any commodity of very great utility. There is some apparent, but no real foundation for this opinion. The fallacy lies in attaching an erroneous meaning to the term independent. No one would reckon a private gentleman, who had his clothes, hats, shoes, &c. made in his own house, as in any respect more independent than one who had money enough to buy them of the tailors, hatters, shoemakers, and other tradesmen. The same is the case with nations. Each, by applying itself in preference to those pursuits for which it has some peculiar aptitude, will be able to obtain a greater command over the necessaries and conveniences of life through the intervention of an exchange, and will consequently be *richer*, and more truly *independent*, than if it had directly produced the

various articles for which it has a demand. In commerce equivalents are always given for equivalents; so that there can be no dependence in the vulgar acceptation of the term. The Americans it is true, have on one or two occasions, experienced a scarcity of foreign manufactured goods; but this was a consequence of *their own policy*, of their non-importation acts, and not of the prohibitive regulations of any foreign power. They may rest assured that *no manufacturing nation will ever refuse to sell.* No such circumstance has ever yet occurred; and it may be safely affirmed that it never will. The danger that the American statesmen would provide against, is therefore altogether imaginary. The independence at which they aspire, is the independence of those who swim across the river, that they may owe nothing to the bridge.'

The fallacy of this pretended refutation lies in proceeding upon a complete misconception of the nature of the objection to be refuted. The question is not whether private gentlemen or communities would or would not be rendered more independent by obtaining their supplies of articles of ordinary use within their own territories; but whether communities which *are* politically independent be on that account more or less favorably situated for carrying on a trade in such articles. If the residence of a private gentleman were placed in the neighborhood of two villages, with one of which his communications were habitually interrupted by insuperable obstacles for about half the time, and sometimes for months and years in succession, while they were always open with the other, he would be thought excessively imprudent if he did not depend upon the latter, rather than the former, for his daily supply of provisions. The inconvenience of a commerce in articles of ordinary use between politically independent communities is precisely of the same description. This intercourse is liable to be interrupted at any moment, and, judging from past experience, is in fact, even under the most favorable circumstances, interrupted for about half the time, and sometimes for ten and twenty years in succession by political events. How then is it possible that such communities can carry on with mutual advantage a sort of commerce which indispensably requires a yearly, monthly, weekly, and even daily interchange of products? Every judicious reader must perceive at once that the objection is insuperable, and that the wise speculations of the Reviewer upon the nature of true independence, and the 'vulgar acceptation of the term,' are entirely foreign to the question.

He seems indeed in the concluding part of the above observations, to show some indistinct notion of what the difficulty is, and his way of getting over it is not less singular than his preceding misconception of its character. 'The Americans it is true have on one or two occasions experienced a scarcity of foreign manufactured goods; but this was a consequence of *their own policy*, of their non-importation acts, and not of the prohibitive regulations of any foreign power. They may rest assured *that no manufacturing nation will ever refuse to sell.* No such circumstance has ever yet occurred, and it may be safely affirmed that it never will. The danger that the American statesmen would provide against, is therefore altogether imaginary. The independence at which they aspire is the independence of those who swim across the river, that they may owe nothing to the bridge.' It is difficult to say whether these observations are more remarkable for the flippant impertinence of the language, or the obvious absurdity of the reasoning. Let it be supposed that the United States are forced into war to-morrow, by a clear and undoubted aggression on the part of the British government, and that the communications between the two countries are in consequence interrupted for two, ten, or twenty years, as the case might be. Would this interruption be the effect of our own policy? Would it not be the manufacturing nation, which, by rendering it impossible for us to buy, would in fact refuse to sell? Or will it be said that the danger of such an interruption is entirely imaginary? Has no such case ever occurred, or can it be safely affirmed that it never will? The language of the Reviewer, when generalized, means, if it mean anything, that in the political difficulties, that have occurred or may occur between Great Britain and the United States, the former has been and will be always in the right, and the latter in like manner always in the wrong. It amounts in substance to the well known remark addressed by the French lady to her sister, '*Il n'y a que moi qui ai toujours raison.*' This may be very good doctrine on the other side of the water, but is it entitled to much weight in a philosophical discussion, or is it likely to produce much effect in conciliating the feelings and convincing the judgments of the people of the United States? As to the past events to which the critic alludes, it would be easy to show, on authority for which he would probably feel some respect, we mean that of the Edinburgh Review, whether the interruption of commerce

between the two countries was the result of our own policy, or was forced upon us by the unexampled series of aggressions by which Great Britain, under the pretext of exercising her belligerent rights, harassed for twenty years in succession the persons and plundered the property of our citizens. But leaving entirely out of view the merits of the late contest with England, it certainly cannot have escaped the attention of the Reviewer, that this is not the only war that has occurred even in modern times, and that generally speaking, the occasional occurrence of wars, even between the most civilized nations, must be calculated on as inevitable. The most recent experience unfortunately shows, that between such nations, and even at this most enlightened day, it is quite within the compass of possibility, that wars should not only exist, but that they should last with little interruption for five and twenty years in succession. It has in fact been calculated that for the period of nearly two centuries which has elapsed since the peace of Westphalia, and during which Europe claims to have exhibited a higher degree of civilization than was ever known in any other part of the world, every alternate year has been on an average a year of war. Does the Reviewer then suppose that Great Britain and the United States are to be for ever exempt from the operation of the evil passions, and conflicting temporary interests, that drive the nations to these terrific extremities? Does theory, or experience, justify any such belief? Does the tone of the negotiations between the two governments since the last treaty render it probable, that a halcyon age of perpetual peace is to ensue immediately upon the close of two centuries of bickerings and ill humor, twice interrupted by intervals of open war, but never yet for a moment by one of real and unaffected cordiality? Is the language of the leading British journals, the torrent of calumny, for example, which is perpetually poured out upon us by the semi-official quarterly organ of the ministry, likely to produce so desirable a result? Nay, is the very article in the Edinburgh Review now before us, the staple of which only varies from direct attack to contemptuous irony, a production well fitted to conciliate adverse feelings and rival interests, and aid in bringing about the millennium, to which the author appears to look forward? The necessary answer to these questions is, we fear, far too obviously in the negative, for even the Reviewer himself to think of giving one of any other kind. Much as we depre-

cate the occurrence of future wars with England, anxiously as we desire that the good understanding which now so happily exists between the two powers may be perpetual, sincerely as we have rejoiced at some recent demonstrations in quarters of high authority on both sides, which appear to authorize the hope of an improvement in their habitual relations, a hope, which, we are happy to say, nothing has yet occurred to diminish materially, we must still consider it as the strict and bounden duty of an American statesman to regard the occurrence of hostilities with Great Britain, or any foreign power with which we have relations, as a thing within the compass of ordinary probability, and to act upon that supposition. It is not our policy, nor yet the policy of the mother country,—for we are not anxious to push any farther than it ought to be carried, the conclusion that might be drawn from the circumstances that led to the last war with England,—it is not then our policy, nor that of the British government, but the imperfection of human nature,—in Shakspeare's phrase, *the penalty of Adam*, which will occasion these hostilities, whenever they may occur, and which renders the supposition of their probability necessary. Should the international relations of the great powers of the Christian world be on no worse a footing for the next two centuries than they have been for the two last,—and it would surely be rash, whatever we may hope, to reason and act on the hypothesis, that the next following age will be better than the best in the history of our race,—we must still calculate, as we have said above, that on an average every other year will be one of war. So far, indeed, are recent and present occurrences from warranting the expectation of any immediate change, in this respect, in the habits of the world, that although the great Christian powers have been at peace, at least among themselves, since the treaties of Paris, there has not been a moment in which the sword has been sheathed in all parts of Christendom; and for two years past there has been, at times, a strong probability of the immediate occurrence of another general war, in which Great Britain would of course be involved, and from which it would require the exercise of great moderation and ability in the government of the United States, to keep them clear.* But whatever may

* Since the above was written, the conclusion of peace between Russia and Turkey has removed for the present the danger alluded to

be the issue of the present crisis, it is at all events the duty of an American statesman to suppose, and to act upon the supposition, that the country is liable at any moment to be drawn into a war with Great Britain, or any other foreign power,—for the argument applies alike to all. The Reviewer will not, we think, dispute the correctness of this assumption. If then we look to Great Britain, or any other foreign power for our regular supply of the ordinary comforts of life, what is to become of us during these periods of occasional hostilities which may last three years, or thirty, as the quarrel may happen to turn? By what miracle are we to find, at an hour's warning, resources before unemployed that shall furnish us with substitutes for this supply? Where are we to look for the bridge, to which the Reviewer so pleasantly alludes, and which is to conduct us safely over this otherwise somewhat awkward gulf in our economical arrangements? Are we to extemporize at the commencement of every war, as we did at that of the last, a set of manufactures sufficient for the consumption of twelve, fifteen, or, looking forward only to the end of the next five and twenty years, twenty million persons, only to see them all shaken to their foundations by the return of peace, and sinking in one general ruin, as they did before? Warped as the judgment of the Reviewer evidently is by habitual prejudices and national feelings, we cannot believe him so totally blind to the most obvious considerations of expediency as to counsel such a policy; and we would leave it with confidence to himself to decide, whether it would not be the duty of a wise community to provide, by every imaginable means, against the recurrence of such fatal and widely spreading disasters; whether, were it even true, as it is not, that domestic manufactures would be, in the long run, dearer than foreign ones, an annual pecuniary sacrifice of considerable extent, made in this form, would not be decidedly preferable, whether on the score of interest or feeling, to supporting the incalculable losses and miseries of every kind produced by such convulsions. For ourselves, we have no hesitation in saying, that were there no other argument in favor of a protecting policy except the single consideration to which we have now been adverting, we should still regard it as established beyond the possibility of question.

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in the text. We hope to offer in some detail in a future number our views of the influence of the war, and its results on the political situation of Europe and America.

We may add, that the same consideration, duly weighed, would furnish the Reviewer with a justification, which does not appear to have occurred to him, of the corn laws of his own country.

Such, however feebly and imperfectly expressed, appears to us to be the substance of the argument upon the merits of this case, as stated by the Reviewer himself. He fully admits the great advantages that result in general from the possession of domestic manufactures, but contends, that in consequence of the peculiar facilities enjoyed respectively in the United States for agriculture, and in Great Britain for manufactures, it would be more expedient for us, under these particular circumstances, to devote ourselves exclusively to agriculture, and obtain our supply of manufactures from foreign countries in exchange for our surplus agricultural produce, than to attempt to manufacture for ourselves. To this we have replied, first, that Great Britain refuses to receive the agricultural produce of by far the greater part of our population, and thus, by her own act, renders this arrangement impossible; secondly, that the expense and inconvenience of transporting by land and water, over such immense distances, the bulky articles of ordinary use, are so great, as to make a trade of this kind substantially impracticable, were it even allowed by law; and thirdly, that the intercourse of independent nations is liable to such interruptions, that it would be highly impolitic, or rather completely ruinous, for them to depend upon each other for the regular supplies of the usual necessaries and comforts of life. Each of these objections appears to us to be of a decisive and peremptory character, and we cannot but think that taken together they must carry conviction to impartial and unprejudiced minds. If then it be impracticable for us, for these reasons, to receive our supplies of manufactured articles from abroad, it follows, that we must either procure them at home, or not have them at all, and that the absence of domestic manufactures is, as we have intimated above, equivalent in practice to the absence of all manufactures. This being the case, were it even true, as the Reviewer supposes, that the capital invested in manufactures must be withdrawn from agriculture, and that the amount of our exports of agricultural produce would diminish in proportion to the diminution, occasioned by the Tariff, of our imports of British manufactures, it would still be our policy to encounter these results, which are in themselves indifferent, and only temporarily inconvenient, when

considered as changes in the previous direction of labor, rather than forego the great advantages, which, by the admission of all, and himself among the foremost, result from the possession of domestic manufactures. We are happy however to be able to add, that the anticipations of the Reviewer in this respect are, in our opinion, no better founded than the rest of his reasoning. We see no ground for supposing, that the amount of our exports of agricultural produce will be diminished by the operation of the Tariff, or prevented from increasing as rapidly as it would have done under any other circumstances; and far from occasioning the withdrawing from agriculture of any part of the capital now invested in it, it is quite certain, that the establishment of domestic manufactures is the most effectual, and indeed the only way, by which agriculture can be encouraged or extended in any other form than that of clearing wild land. For the farther illustration of the subject, we shall add a few remarks upon both these heads.

1. If our commerce with Great Britain were, as the Reviewer appears to wish that it should be, of the kind which is carried on between a purely agricultural and a purely manufacturing community, or between town and country, by the effect of which the cultivator feeds the manufacturer as well as himself, and the latter in turn manufactures for the use of both; if, we say, our commerce with Great Britain were of this description, the establishment of domestic manufactures would undoubtedly diminish our exports, because the agricultural produce which we before sent abroad to feed the foreign manufacturer, would now be kept at home to feed our own. Such a change in the state of our industry, instead of being injurious, would however be highly advantageous to us. It would prove, that we employed two domestic capitals, when we before employed only one; and as far as it diminished the foreign trade, it would substitute for it a home trade of equal extent, which all admit to be the more profitable of the two. But this, as we have already shown, is not and never can be the nature of our commerce with Great Britain. Great Britain is a manufacturing nation, that chooses, and very properly, to supply herself with the necessaries and comforts of life from her own resources, that depends, in general, for subsistence upon her own agriculture, and that takes nothing from abroad which she can possibly raise at home. Acting on these principles, she prohibits a great part of our agricultural produce,

and consents to receive only those articles which she cannot produce at all, or of equal quality, in her own dominions, and which she must of course, for her own interest, purchase wherever she can find them of the kind best suited to her purpose. If she purchases our cotton, in preference to that of any other country, it is not because we take a large amount of her manufactures, but because our cotton suits the purpose for which she wants the article better than that of any other country. While Uplands and Sea-Island retain their present cheapness and superiority over the growth of any foreign region, Great Britain will find precisely the same advantage in buying cotton of us that she does now, however much our imports of British manufactures may be diminished by the effect of the Tariff. The loss of our market for her manufactures, from whatever cause and to whatever extent it may happen, would no doubt be to her a positive evil; but this evil, instead of being remedied, would only be aggravated by her refusal to take our cotton, supposing it always to be, as it is now, the best that is raised. Without ascribing to our *pulchra mater* any sentimental fondness for her flourishing family of children on this side of the Atlantic, we cannot suppose that she hates us so much as to injure herself merely for the sake of injuring us; and as it is clearly for her interest, since she cannot raise cotton herself, to purchase the best wherever she can find it, it is quite certain that she will continue to take it of us while ours shall be the best, Tariff or no Tariff. If, on the other hand, our planters shall ever, through their own neglect, or the greater skill and industry of others, lose their present superiority, it is equally certain that Great Britain will no longer buy of them, although we should take from her twice as great an amount of her manufactures as we now do.

It may be said, however, and has indeed been said on both sides of the water, and particularly in the article in the Edinburgh Review now before us, that Great Britain, irritated by our endeavors to exclude her manufactures, and desirous to retaliate upon us by ceasing, if possible, to take our cotton, will adopt measures for encouraging the growth of that article in her own possessions in India. But this consideration can have no weight in an argument against the protecting policy; first, because the superiority of our cotton is so well established, that our planters have no more reason to apprehend the competition of India or Egypt in the raising, than Great Britain has

in the manufacturing of it; and, secondly, because Great Britain, if she can possibly raise within her own dominions cotton of equal quality with ours, will unquestionably cease to buy of us, whether we take her manufactures or not. In this she would only act upon her settled and very judicious system of making herself, as far as possible, independent of foreign nations in regard to her supplies of articles of necessary and ordinary use. Our planters must therefore resign themselves to suffer the loss of the British market whenever an article of equal or superior quality shall be raised within the British dominions, whatever may be, in other respects, the state of the trade between the two countries. But until there shall be a well ascertained equality or superiority in the British article, a thing of which, as we remarked above, we have no apprehension, we may rest assured that Great Britain, with the immense amount of capital which she now has invested in the cotton manufacture, will try no rash experiments, and run no unnecessary risks, in the way of encouraging her own cotton or discouraging ours. The effect of employing an inferior material would be to destroy the present superiority of her fabrics; and as the value of the fabric is from ten to twenty times, according to its fineness, greater than that of the material, it is obvious that there is no motive for making any change, however advantageous, in the present method of obtaining the latter, which would be attended with the slightest danger to the success of the manufacture. The late experiment in the woollen trade would probably be sufficient to cure the British government of any disposition to tempt fortune in this way, which they may have felt before. We have before us, in the same number of the Edinburgh Review which contains the article we are now noticing, another detailing the results of this experiment, from which it appears, that the British government by imposing a duty of sixpence the pound on foreign wool, for the purpose of encouraging the consumption of their own, injured the quality of their cloths so much as to render them unfit for several markets where they were before in request. It is given as the opinion of the most intelligent woollen manufacturers of the kingdom, that, had the duty been continued a few years longer, it would have completely ruined the branch of industry in question, and that, although the government made great haste to take it off after a short trial, it had already produced such mischievous effects, as will probably

never be repaired. With such results from this recent experiment before her eyes, we may rest assured, that Great Britain will not be readily induced, by pique or any other motive, to venture on a similar one in the still more important branch of the cotton manufacture, which furnishes at present nearly two thirds of the whole exports of the kingdom. On this head, therefore, we conceive that our own planters may, without reposing any undue confidence in the chapter of accidents, set their hearts at rest.

We may remark here, that large as the British exports of manufactured cotton undoubtedly are, they are not quite so large as the Reviewer has thought proper, in the pride of his heart, to represent them, for the purpose of making them appear to greater advantage in comparison with ours. Although the error in his statement on this subject is immaterial to the course of the argument, we deem it proper to point it out, more especially as we shall have occasion, in so doing, to allude to a point of learning, in regard to the present state of British industry, somewhat curious in itself, and not, we believe, very familiar to the public, at least on this side of the water. After quoting a passage from a report made to the meeting of delegates at Harrisburg, in which it is intimated, that our cotton fabrics had been preferred to the British in some of the Spanish American markets (a fact of public notoriety), the Reviewer proceeds to refute the assertion in the following triumphant paragraph.

'In our ignorance, we long imagined, that John Bull had been the most gullible of animals; but if Jonathan can swallow such assertions as these, John has not the vestige of a claim to that distinction. *Smuggle* American cottons into Great Britain! What an opinion must the Harrisburg delegates have formed of their countrymen when they could presume to call such a statement a "sober truth"! Is there a merchant in the United States so profoundly ignorant as not to know that American, and all other foreign cottons, may be freely imported into our markets on paying an *ad valorem* duty of TEN per cent.? Let us now see how they are driving our cottons out of foreign markets. In 1826, the estimated official value of the whole exports from the United States amounted to 77,595,322 dollars, of which coarse cotton goods of *domestic* manufacture amounted to 1,138,125 dollars; and of these 711,959 dollars' worth were sent to Mexico and South America. Now, it appears from the official accounts of our custom-house, that the value of *our* exports of cotton goods only, in 1825, amounted to £30,795,000, or about 150,000,000 dollars; and there are good

grounds for thinking, that the value of those exported to Mexico and South America exceeded 25,000,000 dollars, so that the American exports to those countries, some of which are their immediate neighbors, amount to about *two thirds of a per cent.* of our own; a marvellous progress certainly towards "*supplanting the British in all foreign markets*"!'

It may perhaps amuse the reader to be informed, that in the midst of this exulting array of capitals, italics, and notes of admiration, which we copy as they stand in the original, the Reviewer has made, apparently not without intention, the trifling mistake of about eighty-two millions of dollars, in the statement which he gives of the value of the exports of cottons from his own country. The nature of it lies chiefly in giving the *official* value of the exports as the real one. The former, as our readers are perhaps aware, is a merely conventional statement, in which the article is valued according to an estimate fixed in the time of King William, and which gives of course about as correct a notion of the actual value of the British exports of cotton cloths, as we should obtain of the amount of capital invested in the bookselling business by estimating every work that is now published at the price at which a manuscript copy of it would have sold before the invention of the art of printing. This official statement of the value of the exports sometimes exceeds, and sometimes falls short of the real value, which is regularly *declared* on oath by the owner. In 1814 the real value of the whole exports exceeded the official by nearly twelve millions of pounds sterling, while in 1828 it fell short of it by nearly sixteen. Now, whatever advantage there may be for other purposes in employing the official statement (and we confess that we are unable to imagine of what nature they can be), it is at all events evident, that when the object is, as in the present instance, to compare the British exports with those of another country, in which there is no such double statement, the real value must of course be used.* The Reviewer, how-

* In the debate on the Budget, of May 8, 1829, Mr Huskisson remarked, in speaking of the amount of exports, that 'he took the official in preference to the real value, because, having been fixed in the time of King William, and having never varied, it expressed the quantity and not the price of commodities.' The official value would perhaps be preferable on this account, for any purpose which required a knowledge of the *quantity* of the exports, although a simple statement of the number of pieces would apparently be far better than either; but where the object is, as in the present case, to compare

ever, compares the *real* value of our exports for 1826, with the *official* value of the British for a *different* year, 1825, that being the one in which the amount of the latter was the largest ever known, having been, as he states, more than thirty millions sterling. In 1826, of course the proper year to compare with ours of the same date, the official value of the exports of cottons was only twenty-six millions sterling. In both these years it exceeded the real by about ten millions sterling, so that there is, on this account only, an error in the Reviewer's statement to that extent; and if we assume as the proper one to compare with ours of the same date the year 1826, in which the official value of the British exports of cottons was, as we have just said, four millions less than the preceding year, the error increases in the same proportion, and rises to about fourteen millions sterling. This sum which, on the Reviewer's calculation of five dollars to the pound, is equivalent to seventy millions of dollars, being deducted from the hundred and fifty millions given in the article, would leave a remainder of eighty millions of dollars as the value of the British exports of cotton, correctly stated for the purpose of comparison with that of

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the British exports with those of another country, it is quite evident, as we have remarked in the text, that the real value is the one to be used. We subjoin here a table, containing a comparative statement of the official and real value of the British exports from 1814 to 1828 inclusive, which was read to the House of Commons by Mr Waithman in the same debate, and which we deem somewhat curious. It exhibits a regular and constantly progressive increase in the official, and decline in the real value during the whole period.

Exports of Manufactures and Produce of the United Kingdom, from 1814 to 1828 inclusive, with the official and declared or real value.

Year.	*Official Value.*	*Real Value.*	*Difference.*	
1814,	£36,092,167	£47,851,153	£11,759,286	
1815,	44,053,455	53,217,445	9,163,990	
1816,	36,714,555	42,942,951	6,228,398	
1817,	36,697,610	42,955,256	6,257,646	+
1818,	41,558,585	43,626,253	2,067,668	
1819,	44,564,044	48,903,760	4,139,716	
1820,	35,634,415	37,339,506	1,705,091	
1821,	40,240,277	38,619,897	1,620,380	
1822,	40,831,744	36,659,631	4,172,113	
1823,	44,236,533	36,968.954	7,269,569	
1824,	43,804,372	35,458,048	8,346,324	
1825,	48,735,551	38,396,300	10,339,251	−
1826,	40,965,735	31,536,723	9,429,012	
1827,	52,219,280	37,182,857	15,036,423	
1828,	52,797,455	36,814,176	15,983,279	

ours for the year 1826. But even this sum requires another correction on account of the inequality in the estimates of the value of the dollar on the two sides of the account. The reviewer takes it, as we have just said, at the rate of five to the pound sterling, probably the market price at London at the time when he wrote, while in our reports it expresses a value nine or ten per cent. higher. Assuming as a common standard the ordinary par estimate of four dollars and forty-four cents to the pound, which is that in use with us, the error of the Reviewer rises to about eighty-two millions, the amount at which we have represented it above, and the value of the British exports finally dwindles from one hundred and fifty millions, at which he reckons it, to about sixty-eight. Even this is doubtless a large amount to be exported in cotton by one country in a single year; but it must also be allowed, that an error of eighty-two millions of dollars in a single sum is considerable; and if in the excess of charity, with which we have sometimes been reproached, we suppose it to be entirely involuntary, we cannot but think it peculiarly unfortunate, that the Reviewer should have fallen into it in the course of the very same paragraph in which he dwells with so much apparent satisfaction upon certain supposed inaccuracies of a much less important character, if real, in the Harrisburg Report. By correcting in the same way his statement of the British exports to Spanish America, we shall obtain as the true amount about eleven and a half millions of dollars, instead of twenty-five. This correction raises considerably the proportion, which our exports of the same description bear to them, and which the Reviewer sneeringly states at *two thirds of a per cent.*, meaning probably two thirds of *one* per cent. But if from the value of the British exports to Spanish America, thus corrected, we farther deduct that of the large portion of them which was shipped on wild speculation, and for which no returns whatever have been or ever will be made, and then transfer, from one side of the account to the other the value of the other portion fraudulently sold as of our manufacture, which is known to be considerable, and which proves of course, that the demand for our manufactures is in the same proportion greater than it would appear to be from the actual amount of our exports, we shall find a nearer approach to a balance on the two sides of the account, than we should perhaps think possible upon a first glance at the Reviewer's estimate. It is

no part of our plan, however, to endeavor to represent the value of the British exports as less, or that of ours as greater, than it really is; and our chief object, in adverting to the subject, has been to point out the excessive inaccuracy of a writer, who yet exhibits so little indulgence for what he deems the inaccuracies of others.

But, to return from this digression to the subject before us; as all commerce is of necessity an exchange of equivalents, it may be inquired, and the question is in fact asked by the reviewer, how Great Britain will contrive to pay us for our cotton and tobacco, if we no longer receive from her the manufactures which she now gives in exchange for them? We answer, that she will pay us in money for that portion of the articles she takes from us, for which she does not send us an equivalent in manufactures, just as we now pay her in money for that portion of her manufactures for which we do not send her an equivalent in other products. It is well known, that the proceeds of a considerable part of our exports to other parts of Europe are remitted in cash to London, to pay the balance on our trade with Great Britain, which has hitherto been constantly against us. Should this same balance happen to be found, at any future period, on the other side of the account, the consequence will be, that the proceeds of a part of the exports from Great Britain to Mexico and South America will be remitted in cash to the United States, and that our merchants will bring home from Europe more silks, claret, and Sherry, than they did before. Exchange on the United States will then be at a premium at London, just as exchange on London is now at a premium at New York and Boston. These results need not, we apprehend, be considered by us as of a very disastrous character, nor will they be of any importance to Great Britain any farther than as they indicate the loss of a market for a portion of her manufactures.

We may therefore conclude with confidence, that the amount of our exports will not be diminished in any way by the tariff, or even prevented from increasing as rapidly as it would have done under any other circumstances; and the correctness of the conclusion appears to be confirmed by the experience we have already had of the effects of the new law. The Reviewer himself seems to agree with us on this part of the subject; and if, as we have stated above, he hints that it might be good policy in Great Brit-

ain to endeavor to encourage the growth of cotton in India and Brazil, it is not from a disinclination on his part to buy the article of us, but from a fear that we may, perhaps, hereafter *refuse to sell!* 'It is quite clear,' says he, 'that the less dependence we now place on the trade with America so much the better. She cannot indeed inflict any material injury on us by refusing to *buy* our products, but at present she might injure us by refusing to *sell;* and after what we have seen of Congress, it would excite no surprise if some such attempt were made. We are not therefore sure, that it might not be good policy to endeavor to encourage the importation of cotton from India, Egypt, South America, &c. by reducing or wholly repealing the existing duty on all cotton not imported from the United States.' We know not whether the critic be in good earnest in this intimation that the United States may, perhaps, hereafter refuse to sell cotton to Great Britain, or whether we are to look upon it as a specimen of the pleasantry with which the article is occasionally seasoned. If he really entertain any serious apprehensions on the subject, founded on his view of the policy of our government, he may perhaps be gratified to learn, that Congress is expressly prohibited by the constitution from laying any duty whatever on exports; and as respects the disposition of the planters themselves, there is, in our opinion, no more probability, that they will ever refuse to sell cotton to the British manufacturers, as long as the latter continue to pay them well for it, than there is, that the British manufacturers will cease to purchase it of them as long as they shall raise it of a quality superior to any that is elsewhere produced.

Having had occasion to make use of the phrase *balance of trade*,

> 'a word of fear
> Unpleasing to a Scottish ear,'

we hasten to add, in order to relieve ourselves from any suspicion of heresy, that we are not partisans of the antiquated doctrine on this subject, and that, on the contrary, we fully acquiesce in the modern theory, which is that of Adam Smith, and also, as it seems, of the Reviewer. Our opinions, therefore, on this head, are probably at bottom the same as his; but if such be the case, we cannot but remark, that, in what he says upon the subject in the present article, he has not expressed himself with all the accuracy that might have been

wished, and has apparently sacrificed, in some degree, his regard for truth to rhetorical effect, thinking perhaps with Voltaire, that it is of more importance to strike hard than to hit the right spot. Our readers will judge by an inspection of the passage.

'On hearing the terms in which some of the leading American orators talk about the mischiefs arising from the *balance of trade* being unfavorable to the republic, and the consequent exportation of specie, one is almost tempted to believe in the doctrine of metempsychosis, and to conclude, that the Roses, the Kenyons, and the Lauderdales of a former age, are again revived in the Baldwins, the Lawrences, and the Everetts of the present. It is difficult to argue with those who, at this time of day, can talk seriously about the balance of trade. To say that the old doctrine with respect to it has been a thousand times shown to be false, contradictory, and absurd, is not enough. The fact is, that the very reverse of it is true; and that every nation, carrying on an advantageous foreign commerce, must import *more* than she exports, and must therefore, according to the transatlantic illuminati, have the balance against her. But in despite of the speeches of honorable gentlemen, and the innumerable essays of Mr Carey, we apprehend that Jonathan is not quite so simple as to export any commodity, except in the view of importing a more valuable one in its stead. It is this greater value which constitutes the profits of the merchants engaged in the foreign trade; and to affirm that it is large, is to affirm, what is not reckoned a very serious evil on this side of the Atlantic, whatever it may be on the other, that the external trade of the country is very lucrative.

'It would, however, be unjust to individual members of the American legislature to represent them as all approving the exploded and absurd notions with regard to the balance of trade. Mr Cambreling, in an able pamphlet, entitled an Examination of the Tariff proposed in 1821, forcibly exposed the fallacy of the opinion of those who believe, or affect to believe, in the pernicious effect of what is called an unfavorable balance. Mr Webster too, in an admirable speech on the tariff bill of 1824, set the real nature of commerce, and the true doctrine as to the balance, in the clearest point of view. Mr Webster illustrated his statement by a case which, although it failed to make any impression on the majority of his auditors, is so very conclusive, that we believe it will carry conviction to every one who may happen to throw his eye over these pages. "Some time since," said Mr Webster, "a ship left one of the towns of New England, having on board 70,000 dollars in specie. She proceeded to Mocha on the Red Sea, and there laid out these dollars in coffee, drugs, spices, &c. With this new cargo she proceeded to Europe; two thirds of it

were sold in Holland for 130,000 dollars, which the ship brought back and placed in the vaults of the same bank, whence she had taken her original outfit; the other third was sent to the ports of the Mediterranean, and produced a return of 25,000 dollars in specie, and 15,000 dollars in Italian merchandise. These sums together make 170,000 dollars imported, which is 100,000 dollars more than were exported, and forms therefore, according to the doctrine of honorable gentlemen on the other side, an unfavorable balance to that amount." But honorable gentlemen were proof against this *reductio ad absurdum*. They continued firm in their belief, that the doctrine of the balance was no chimera, and that the adventure described by Mr Webster was a losing one!'

Whether a belief in the antiquated doctrines of the mercantile system be as general among the politicians of our country as this writer appears to imagine, is, in our opinion, very doubtful; and we could show, if it were necessary, without going beyond the pages of this journal, that at least one of the gentlemen, who are mentioned in the above extract among its partisans, has defended in print the modern theory. But, however this may be, we must venture to repeat, that the manner in which the Reviewer expresses himself on this subject, is far from being as precise as could have been wished, and might even lead an uncharitable critic to doubt whether, with all his exultation over the partisans of the 'false, contradictory, and absurd' tenets of the old theory, and all his professed devotion to the new one, he have himself a very exact idea of the real character of either. The assertion made with so much positiveness, that 'every nation carrying on an advantageous foreign commerce must import *more* than she exports,' is not only obviously false, but is plainly contradicted by the principle repeatedly laid down by the Reviewer himself, that all commerce is of necessity an exchange of equivalents.*

* Mr Adams, in his last Message to Congress, affirms it to be 'a general law of prosperous commerce, that the real value of exports should, by a small and only a small balance, exceed that of imports, this balance being a permanent addition to the wealth of the nation.' The President's remark, which was doubtless founded on some particular view of the subject before his mind at the time of writing, is precisely the reverse of that of the reviewer; and as the latter is true only of nations who have more than an equal share of the navigation necessary for conducting their foreign trade, so the former appears to be correct only on the opposite supposition, that a nation has less than an equal share of this navigation. Thus the real value of

'Jonathan,' says the Reviewer, 'is not quite so simple as to export any commodity except in the view of importing a more valuable one in its stead.' What then, on this supposition, must be the simplicity of John Bull and other foreigners, who send him the more valuable commodity in return? If called on to explain his remark, the Reviewer would perhaps say, that he meant by a nation carrying on an advantageous commerce, one that was *largely engaged in navigation;* and in this sense of the phrase the observation would be true, because, in the accounts between a nation so situated, and those with which she deals, the article of merchants' profit would probably be greater on her side than on theirs, and the difference must, of course, be balanced by an additional quantity of goods. But this is obviously a particular case, which forms an exception from the general rule; and the Reviewer, in bringing forward this exception as the general rule, in opposition to his own repeated statements of the latter in the same article, has sacrificed not only accuracy and truth, but common consistency, to his eagerness for a triumph over the 'transatlantic illuminati.'

Again; although the 'transatlantic illuminati' would cheerfully admit, that a nation, which is more largely engaged in navigation than those with which she deals, will necessarily import more than she exports, they probably would not affirm, as the Reviewer supposes, that a nation so situated has *therefore* the balance of trade against her. The Reviewer either does not know, or has inadvertently overlooked in the ardor of controversy, what was meant by the partisans of the mercantile system when they spoke of a favorable and unfavorable balance of trade. A nation was said by them to have the balance of trade in her favor when she exported more of all other articles than she imported, and received the value of the

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the exports of China is, as we have stated in the text, greater than that of her imports, because she must pay the foreign merchant, not only for the articles he brings, but for his trouble and expense in bringing them. The United States, on the other hand, having more than their equal share of the navigation employed in their trade with foreign nations, and receiving pay from the latter for this excess as well as for the articles they carry, must of course regularly import more than they export. The President's remark is therefore apparently incorrect in its application to our country, the one which he may be presumed to have had particularly in view. Both principles, considered as general truths, are at variance, in opposite ways, with the acknowledged axiom, that commerce is naturally an exchange of equivalents.

difference in specie. The balance was against her, on the other hand, when she imported more of all other articles than she exported, and paid the value of the difference in specie. Thus China has, in their phraseology, the balance in her favor on her trade with Europe, because on comparing the articles exchanged (the total value of which must of course be equal after making allowance for the excess of navigation on the side of Europe) it appears that the Chinese regularly export more of all other articles than they import, and receive payment for the excess in specie. In the same way, and for the same reason, the balance is said to be in favor of Great Britain on her trade with the United States. In these and all such cases, the article of *merchants' profit*, which the Reviewer absurdly represents as constituting, according to the mercantile system, an unfavorable balance of trade, has obviously nothing whatever to do with the matter. It is simply one of the items in the account between the two parties, which usually appears on both sides, and is regularly the same on both, because the carrying trade of two countries naturally divides itself between them in equal shares. When the shares are unequal, the excess of navigation on one side is compensated by an excess of goods on the other; but this circumstance has, as we have said, no connexion whatever with the balance of trade, which is calculated on wholly different principles. Thus, in the trade between the United States and Great Britain there is an excess of navigation on our side, which is of course compensated by an excess of goods on the other. We import for this reason more than we export. But if the excess of our imports over our exports only went to this extent, the balance would not be against us. The balance is said to be unfavorable, because, after setting off against each other all the other articles exchanged, and allowing for the excess of navigation on our side, there still remains a further excess of imports to be settled by a payment in specie, which is in fact annually remitted by us for this purpose, and received by Great Britain. Under such circumstances, the party which receives the specie payment is said, by the adherents of the mercantile theory, to have the balance of trade in its favor, and the reverse; but the excess of navigation, on which side soever it may happen to fall, has no more to do with the balance than any other item in the account of either party.

We must therefore venture to suggest, with the deference

due to so great an authority, that the Reviewer is mistaken when he says, that every nation carrying on a prosperous commerce must import more than she exports; that he is again mistaken when he says, that a nation so situated would *therefore* be said, by the partisans of the mercantile system, to have the balance of trade against her; and that he is consequently mistaken a third time, when he says that the reverse of the mercantile theory is true. The theory is, that a nation derives great advantages from receiving a specie balance on the settlement of the acconnt of its exchanges with foreigners. The reverse of this theory would be, that it is a very advantageous thing to pay out regularly a specie balance of this description. Now, although the advantages of receiving a specie balance are no doubt wholly imaginary and the theory which supposes their reality false, it would show, if possible, a still greater wildness of imagination to think that there is any positive advantage in regularly paying out such a balance. According to the modern and generally received theory, neither one nor the other of these operations is in itself either advantageous or disadvantageous. The reverse of the old doctrine is just as 'false, contradictory, and absurd,' as the doctrine itself; and the Reviewer, by asserting the contrary and by the other mistakes which he has made on the subject, exposes himself somewhat ungracefully, as in the passage before quoted, to a well grounded charge of inaccuracy at the very moment when he is pluming himself with more complacency, than it would perhaps be quite civil to express, were it even better founded, upon his superiority over the leading American statesmen.

The remarks contained in the last quoted extract on a case, mentioned by Mr Webster in his speech on the tariff law of 1824, confirm what we have just said respecting the indistinctness of the notions of the Reviewer on this subject. It would be difficult, indeed, to accumulate a greater number of errors within the same space than are to be found in his observations upon this transaction. A merchant ships to India the sum of seventy thousand dollars in specie, and after several intermediate voyages and exchanges receives a return of one hundred and fifty-five thousand dollars in money and fifteen thousand in goods, making a total of one hundred and seventy thousand dollars, and giving an excess of imports over exports of one hundred thousand dollars. This excess, says the Reviewer, is considered by the advocates of the mercantile system as

constituting an *unfavorable balance* of trade to the same amount; and as the voyage was a profitable one, the case proves that the theory of the mercantile system is false, and that the reverse of it is true. He considers the argument so conclusive, that he believes it will carry conviction to every one, who may happen to throw his eyes over the article. But how stands the fact? All commerce is in its nature an exchange of equivalent values; and if we suppose this transaction to take place in a regular course of trade (without which it proves nothing any way), the difference of one hundred thousand dollars between the value of the exports, and that of the imports, is exactly equal to the ordinary returns on the other capital beside specie employed in the voyage. Thus far, therefore, the largeness of the difference between the value of the imported and that of the exported article only proves that the capital has been out upon a long voyage, but has no tendency to show whether the transaction be, on the theory of the mercantile system, a gaining or a losing one. In order to ascertain this, we must look at the nature of the articles exported and imported, and ascertain whether there was a specie balance on either side, and if so, on which. On examining the transaction for this purpose, it appears that there was a gross return in specie of one hundred and fifty-five thousand dollars, and setting off the specie exported against an equal amount of that imported, a clear specie balance of eighty-five thousand dollars in favor of the American merchant. And this, says the Reviewer, is considered by the partisans of the mercantile system as a *losing concern!* It is really pleasant to find a person, who gives himself the airs of a doctor in the science, affirming that a voyage, which brings into the country a large specie balance, is considered in the mercantile theory as a losing concern, when every novice is aware that this precise circumstance is, according to that theory, the sure and only criterion of a winning concern. An operation of the kind alluded to would undoubtedly be considered, by the adherents of the mercantile system, as a most advantageous one; and is in fact expressly described as such by Mun, one of the principal writers in defence of that theory, as quoted by Adam Smith, in his chapter on the subject. 'The exportation of gold and silver,' says Mun, 'in order to purchase foreign goods, does not always diminish the quantity of those metals in the kingdom, because those goods might be reëxported to foreign countries,

and being there sold for a large profit might bring back much more treasure, than was originally sent out to purchase them.' We cannot but recommend it to the Reviewer before he again assumes a dictatorial tone on the subject of the mercantile system, and the balance of trade, to read over carefully what Adam Smith has written on the subject; and we venture to assure him that this useful labor, if it do not increase his zeal in favor of the modern doctrine, which appears to be already sufficient, will enable him to exhibit it in a manner more according to knowledge, than he has in the present article. As respects the case alluded to, although it illustrates very well what the adherents of the mercantile theory mean by an advantageous voyage, it has obviously no tendency whatever to show whether the theory be true or false, and has in fact no bearing whatever on the question.

2. The other inconvenience, which in the opinion of the Reviewer is likely to result from the operation of the Tariff, namely, the transfer of capital from agriculture, seems, as presented by him, to be little else than a statement in a different form, of the one we have just been considering, and of course falls with it. The Reviewer evidently reasons on the supposition, that we now have an ample foreign market for, and in fact actually export, all the agricultural produce that we can possibly raise, beyond what we want for our own consumption, in exchange for European manufactures; and that any diminution in the amount of our imports of manufactures would necessarily be attended by a corresponding diminution of our exports of agricultural produce, and consequently of our production in this line; and that the capital thus disengaged would be employed in establishing the manufactures which are to furnish the supplies we before received from abroad. Such appears to be the nature of the transfer of capital from agriculture, which he anticipates as one of the results of the Tariff. But we have already shown that our trade with Great Britain is not, and never can be, of the kind which the Reviewer wishes and supposes it to be; that the British demand for our great staple articles of export is wholly independent of the quantity of our imports of her manufactures, and that it would not be in the least diminished, or prevented from increasing as rapidly as it otherwise would, by any diminution in the amount of those imports. This being the case, it is obvious that no part of the capital employed in producing these staples would be disen-

gaged by the effect of such diminution, and that no transfer of capital from agriculture of the kind contemplated by the Reviewer could possibly take place by any operation of the Tariff.

On a more general view of the subject, it is quite obvious that the establishment of domestic manufactures, instead of withdrawing capital from agriculture, must have a direct and most powerful tendency to encourage it. The objection of the Reviewer proceeds on suppositions so completely at variance with the results of the most familiar experience, that we really wonder how it could be urged by a writer of ordinary discretion. Any circumstance that withdraws capital from land depresses its value; but it is perfectly well known that the establishment of manufactures regularly raises the value of all the land within the reach of their influence, or, in other words, increases the demand for it, and the amount of capital represented by it. The reason why it does so, is not less obvious than the fact is certain. The increase of population by an addition of hands, not employed in agriculture, furnishes to the same extent a new market for agricultural produce, and occasions of course a corresponding extension of agricultural labor, and rise in the value of land. These results, as we have shown already, can never be produced in an equal degree by the use of foreign manufactures; and in the particular case of the United States, we have had occasion to state what has apparently been overlooked, or rather is positively denied, by the Reviewer, that we have no foreign market whatever for the agricultural produce of by far the larger portion of our population, who of course have no means of disposing of any surplus, excepting in the way of exchange for other products of domestic industry. It is quite clear that while the extension of domestic manufactures has no tendency to diminish the amount of agricultural labor employed in producing the articles which we are able to export, its necessary effect in reference to the much larger portion, employed in producing articles which we are not able to export, instead of discouraging agriculture, as the Reviewer pretends, occasions an extension of it, of precisely equal importance. Every dollar invested in domestic manufactures leads to the investment of a dollar in agriculture, which could not otherwise have taken that direction, or in other words, adds a dollar to the value of the land. If these principles were not too familiar to require either proof or illustration, it would be easy to place them beyond the reach

of doubt by reference to our own short experience, as far as it goes, and to the still more complete and satisfactory results of the longer experience of older countries. We are not informed that land has fallen in value in the neighborhood of Waltham or Lowell, Patterson or Pittsburg, or any of our other manufacturing towns; or that the revenue of the British landholders has declined in consequence of the prodigious extension of domestic manufactures, which has taken place in that kingdom within the last half century. It is indeed surprising that a British writer, with the difference of the rental of England, as it is now and as it was fifty years ago, before his eyes, can seriously affirm that the establishment of domestic manufactures has a tendency to withdraw capital from agriculture, or in other words, to depress the value of land; and were it not for the just confidence we feel in the good faith and seriousness of the Reviewer, we should be tempted to suspect that in making an objection to our protecting policy, which supposes such a principle, he was insidiously practising upon what, with his characteristic elegance of style, he would probably call the *gullibility of Jonathan.*

However this may be, it is quite certain that the objection is founded on a supposition of principles not only false, but directly the reverse of the truth, and that the extension of domestic manufactures, instead of withdrawing capital from the land, must have a direct tendency to encourage agriculture, and is indeed the most effectual and only way in which it can be encouraged in any other form than that of clearing wild land. The degree to which an extension of domestic manufactures of a given amount would operate on agriculture, may be conjectured by reference to the present state of our foreign trade, taken in connexion with some of the most familiar truths in political economy. The great agricultural staples which we export to Europe, are the main produce of the labor of a part of our country containing at present not less than three million inhabitants. Now as all commerce is an exchange of equivalent values, and as the value of all objects is determined by the quantities of labor respectively bestowed upon their production, it is certain, that if we send to Europe in exchange for manufactures the produce of the labor of three million persons, or whatever other number we choose to assume, the manufactures we receive in return must also be the produce of the labor of the same number, and if made at home, would give

employment to an equal number of our own citizens, and create a new demand of proportional extent for the agricultural produce necessary to their support. In other words, the domestic manufactures competent to supply us with the articles we now receive from Europe would give us (on the above supposition as to the number of persons employed in producing our exports, which will probably not be thought too high,) a manufacturing population of three millions, and an additional agricultural population of three more, making a total addition to the population of six millions, and of the products of the labor of six million persons to the annual revenue of the community. Such would be the results of the establishment of manufactures, supposing the consumption of domestic products to be exactly the same with that of foreign ones before; but another effect of the same cause would be, as we have already shown, to occasion a greatly increased consumption of manufactures; and in the same proportion in which this increase should take place, would the addition to the population and wealth of the country be greater than we have stated it above. How far this extension of manufacturing industry might in time be carried, or what may be considered as the natural and regular proportion between the number of persons belonging to the same community who are employed respectively in agriculture and all other employments, of those who produce the raw material and of those who fashion it for use, is an interesting question, which we need not here undertake to settle. In the United States, it has been calculated that there are seventy persons employed in agriculture to one in any other way. In England, on the other hand, the number of persons employed in manufactures and other sorts of work is larger than that of the cultivators in the proportion of three to two. If we suppose one third of the British manufacturers to labor for foreign markets, which is probably a large calculation, the conclusion would be, that in a community as well supplied with the comforts of life as Great Britain, the natural proportion between the agricultural and manufacturing population is that of exact equality, and that the manufactures necessary to supply the present population of the United States in the same way would give employment to an additional population of twelve or thirteen millions, or in other words, would double the present population and revenue of the country.

Without however insisting on these remote and partly hypo-

thetical results, it is sufficient for our present purpose to remark, that the establishment of manufactures, instead of withdrawing capital from land, has a direct tendency to extend and encourage agricultural industry. In one respect indeed this cause might produce, if not an actual diversion, at least a change in the direction, of a part of the capital and labor employed in agriculture, and that is, by checking in some degree the emigration from the settled to the unsettled portions of the country, and concentrating the population on a smaller extent of surface. In proportion as manufacturing establishments are extended in the older states, which must of course be their seat, and give employment to a large number of persons, many of the inhabitants of those states who would otherwise have emigrated to the West will be taken up by them. The native of New Hampshire, Massachusetts, or Connecticut, who finds a profitable market for his labor in a manufactory at his door, will feel but little temptation to seek a better, on the banks of the Wabash or Missouri. In this way the hardy and generous progeny of New England, who have been so long in the habit of swarming off annually into all parts of the Union, will begin at length to settle round the parent hive, and reserve for the profit and glory of their own rocky region the high talents and manly virtues which have so often shone like rich jewels on the brow of strangers. This increase of manufacturing population in New England and the other Atlantic states, by creating an increased demand for the provisions of the middle and western country, and the raw materials of the southern, will render it in turn more advantageous to the latter to extend their agricultural industry at home than to send off new colonies into the wilderness. Thus the tide of emigration, without being wholly dammed up, will be considerably checked throughout all the settled parts of the Union, and the population of them will begin to put on a more consolidated shape. This result, which does not appear to have attracted the attention of the Reviewer, although it amounts in fact, as we have intimated, to a change in the direction of a part of the agricultural labor of the country, and perhaps a transfer of some of it to manufactures, not only furnishes no objection to the encouragement of this branch of industry, but is itself a strong argument in favor of such a policy. We say not this because we feel any jealousy of the prosperous condition of the western states. Far from envying, we admire and glory in the rapid progress of their

wealth, population, and general prosperity. We consider their progress in all these respects as affording a spectacle unparalleled for moral magnificence by anything to be met with in the annals of the world. But we are nevertheless satisfied, that the time has now arrived, when a part of that swelling tide of increase which has hitherto poured out its exuberance upon the unsettled regions on the outskirts of the Union, might be turned to better account in extending the cultivation of the arts and raising the standard of civilization in the older settlements. The precise distinction between a civilized and a barbarous community lies in the greater or less extent to which they respectively cultivate the fine and useful arts; and as we have shown already, that a region situated like the interior of the United States can never be sufficiently supplied with their products from abroad, it follows, that while the population devote themselves exclusively to agriculture, and, as fast as they increase, continue to spread themselves more and more widely over the unlimited regions which are accessible to them, they must live in a considerable degree without the knowledge of these products, and will be in continual danger of sinking into a lower state of civilization. This result has hitherto been in a great measure counteracted in the United States by the operation of powerful moral and political causes of an accidental kind. The originally excellent character of the settlers, their industrious habits, and the high tone of patriotic sentiment which has always pervaded the whole western population, have hitherto maintained them at a point of civilization, which, considering their circumstances, is hardly less wonderful than the rapidity of their progress in wealth and greatness. But the only way in which the advances they have already made can be secured, and a solid foundation laid for the fabric of social improvement, is by naturalizing on the spot the cultivation of the useful arts; and as far as the protecting policy may have the effect of diverting into this channel any portion of the labor and capital of the country from the business of clearing wild land on the borders of the Union, it will work, in our opinion, a material change for the better.

The population, by thus putting on a more condensed form, would be at once more comfortably situated, as respects the enjoyments of life, and greatly improved in its intellectual and moral habits. The complaint that manufactures have an injurious effect on the morals of the people, has

become, we imagine, nearly obsolete, and was obviously founded on a view of the subject not only false in itself, but directly the reverse of the true one. The objection furnishes indeed a very curious example of the power of names. If those who make it were asked what opinion they entertain of the moral tendency of the cultivation of the fine and useful arts (the same thing under another name), they would probably reply without hesitation, that they deem it exceedingly beneficial. Such at least must be the answer of all who are not prepared to maintain, with the crazy sophist of Geneva, that the savage state is the one in which our nature attains its perfection, and displays itself in all its glory. The truth undoubtedly is, that labor, under whatever form, is the direct source and only real security of good morals; and it must of course be taken for granted that the principle holds of manufacturing labor, as of every other, at least until the contrary be proved. The sentimental effusions of Mr Southey in his 'Espriella's Letters' respecting the forlorn state of the workmen in some of the British manufactories, which form, we believe, the only argument that has yet been adduced for this purpose, are not in our opinion entitled to a serious refutation, and are alluded to with contempt by the Reviewer himself.

It is somewhat curious to remark, while on this subject, the change which seems to have taken place in the language of our transatlantic critics respecting the present state of civilization in the interior of the United States. Hitherto, reversing the maxim of the Latin poet which forbids us to notice a few chance spots in a generally brilliant picture, they have habitually overlooked the grand and striking features in the situation of the country, and fastened their whole attention upon some petty blemishes which may be detected by a scrutinizing eye in particular parts. From quarter to quarter we have been entertained by the London Reviewers with the continual repetition of a few isolated anecdotes which were supposed to prove beyond dispute the ignorance, grossness, and ferocity of the population of the West. The Edinburgh censors, in a style, it is true, somewhat less coarse than that of their courtly brethren of the south, have been equally ready to indulge, in their own way, in a gentle sneer at the manner in which the decencies of life are observed in the back settlements. Now admitting that this perpetual strain of calumny, instead of being, as it is in the main, completely gratuitous, had a reasonable foundation in

fact, what would it prove? Why, that the interior of the United States is at present deficient in the cultivation of the fine and useful arts. But this deficiency is felt, though not under the form indicated by these foreign calumniators, by the population of that region, and they are making great efforts to supply it, and to obtain for this purpose the assistance of government. Such efforts we should naturally suppose would have been looked upon with an eye of favor by our critics, and it might perhaps have been expected that they would have triumphed a little in what they might have regarded as a partial confirmation of the truth of their strictures. Instead of this, the very same writers who have been heaping upon us every term of obloquy which the language would afford, for our supposed neglect of the arts, now assail us with fresh volleys of abuse and sarcasm for endeavoring to introduce and encourage them. It is quite amusing to find how they have become suddenly enlightened in regard to the present situation of the interior of the country by the attempts that are making to improve it. It is no longer, as before, the haunt of *gougers*, *regulators*, and other such

'Gorgons, and Hydras, and Chimeras dire,'

from whose clutches a quiet English traveller could hardly expect to escape with his eyes safe in their sockets, but the abode of 'an industrious population employed in clearing the land and extending the empire of civilization.' The danger now is, that these laudable pursuits will be exchanged for *predatory and ferocious habits* in consequence of—what, gentle reader? *the cultivation of the arts!* Lest the reader should be tempted to question the testimony of our eyes, which we have found some difficulty in believing ourselves, we quote the passage as it stands in the article before us. 'The Americans, instead of having the population on their frontier engaged in the clearing of land and extending the empire of civilization, will imbue them with predatory and ferocious habits, and teach them to defy the laws, and place their hopes of rising in the world not in the laborious occupations of agriculture, but in schemes to defraud the public revenue.' The Latin poet tells us that it is the cultivation of the arts that prevents men from being ferocious;

'Ingenuas didicisse fideliter artes,
Emollit mores, nec sinit esse feros.'

Our critic, on the contrary, has discovered that it makes them so, and that the interior of the Republic which has now, it seems,

become all at once a Paradise of innocence and refinement, is to be demoralized by the invasion of the demon of domestic industry! All this is pleasant enough; but without dwelling any longer on the various shapes under which the Proteus self-interest successively exhibits himself in the mother country, we may safely rest in the general conclusion, that although the state of civilization in the interior is not, and never has been, what the British critics have hitherto constantly represented it, it is nevertheless susceptible of improvement, and that the only possible means, by which this improvement can be effected, is the more extended cultivation of the fine and useful arts, which it is the object of the protecting policy to encourage.

It results from the hasty suggestions we have here offered, if they be well founded, that there is no reason to suppose with the Reviewer, that the Tariff will either diminish our exports or withdraw capital from land, and that its regular operation will be, on the contrary, to produce an extension of industry in all its great branches, and a corresponding increase in the wealth, population, and general prosperity of the country. The inconveniences, which in his opinion were likely to result from the growth of domestic manufactures, are therefore entirely illusory, and the community will enjoy, without the alloy of any attendant disadvantages, the great benefits which by his own admission regularly flow from that cause. If this be true, and if it be also true, as we are ready to admit, that industry naturally takes of itself the direction most conducive to the general good, excepting so far as it is checked or diverted from its course by accidental causes, it might be pertinently enough inquired, what are the accidental or artificial causes which have so long prevented, in the case of the United States, that developement of manufacturing industry, which would have been so highly advantageous, and which might therefore have been looked for as a natural result of the circumstances in which they were placed. It is of course impossible for us, in an article of this kind, to enlarge on every part of so vast a subject, and we must confine ourselves on this head to a few very brief suggestions.

1. The condition of new colonies naturally leads them to confine themselves, during the earliest period of their existence, to agricultural pursuits, and to receive their manufactures from the mother country. This circumstance accounts for the absence of manufactures for the first half century after the date of the settlements.

2. At about the same time when these became so extensive as to afford a suitable field for domestic manufactures, the mother country imposed a rigorous prohibition upon the exercise of this branch of industry, which remained in full force until the declaration of independence.

3. When the country had obtained its independence, and began to recover from the exhaustion of the revolutionary war, the circumstances of the world were such as to hold out great inducements for the investment of capital in commerce and agriculture. This state of things continued until the commencement of the series of political embarrassments which preceded the war with England.

It appears therefore that from the date of the first settlements up to the very recent period just alluded to, there has always been some powerful cause of an accidental or artificial character in operation, tending to prevent the growth of manufactures. Before the last of these causes had ceased to produce its effects, the wealth and population of the country had risen to such a height, that the absence of domestic manufactures had come to be a sort of practical solecism in our economical condition; and no sooner was the obstacle removed, than they in fact started into being with a kind of violent impulse, which, though compressed for the moment by the inundation of British goods, that overwhelmed our markets at the renewal of peace, and more recently again by other accidental causes, is yet far from being lost. No circumstance within the reach of present foresight, supposing our internal union and tranquillity to be preserved, can prevent or materially delay the growth of manufactures. Whether protected by government or not, they must, and will thrive, and, at no distant period, reach a point of perfection, which will secure them from foreign competition, far more effectually than the highest duties or the most rigorous prohibitions. This is thought by some to be a reason why legislative encouragement is unnecessary and inexpedient; but we confess that we cannot agree in this view of the subject. We deem it, on the contrary, the precise character of all wise and useful legislation to follow and aid the operation of natural causes. If the country were not ripe for the establishment of manufactures, the attempt to force them by law could not possibly succeed, and would produce nothing but positive mischief. But however favorable may be the circumstances under which they are established, and however certain their ultimate success

with or without protection, it by no means follows that protection is superfluous. Infant institutions of every description, however judiciously planned, are liable to be injured by accidents which would not affect them in a mature state. In the present case, by permitting foreign fabrics to enter freely into competition with our own, we bring ourselves within the reach of those tremendous fluctuations in the course of trade, which in the present diseased state of society in England are almost perpetual, and which plunge everything, that has not the iron stamp of maturity on it, into remediless ruin. Although nothing can prevent our manufactures from ultimately thriving, a single revulsion of this description may consign a generation of manufacturers to bankruptcy. To secure our rising industry from such disasters is in our opinion the policy and duty of a wise and patriotic government. To say with the Reviewer that the legislation, which is intended to effect this purpose, is an attempt to *force* manufactures, is about as reasonable as it would be to say, that the planters of Louisiana and Georgia force their sugar and cotton, because they employ the most approved methods for raising them in perfection. To *force* a product is to obtain it with extraordinary labor and expense, from a soil and under circumstances not naturally adapted to it. To employ the means necessary for obtaining it from a congenial soil and under favorable circumstances is not to *force* but to *cultivate* it; and we know that without judicious cultivation the most precious shoots run to waste, and the richest ground produces nothing but brambles. If we doubted the capacity of the United States to supply their own wants in the way of manufactured articles, we should then doubt the expediency of a protecting policy; but on this head we cannot allow ourselves for a moment to entertain the slightest scruple. When we reflect upon the variety and excellence of the natural products, animal, vegetable, and mineral, that enrich the different parts of our magnificent and almost boundless territory; the cotton, the sugar, the rice, the tobacco, the corn, the hemp, the flax, that cover our plains; the flocks and herds that feed upon our pastures; the groves and forests of oak, live-oak, cedar, pine, maple, and every other useful and ornamental tree, that overshadow the tops of our mountains; the wealth of really precious metals and other fossils, the iron, the lead, the coal, the salt, the granite, the marble, that fill with inexhaustible and incalculable treasures their hitherto almost unexplored recesses;--

when we reflect on this unexampled abundance of materials, and consider at the same time the great natural advantages we possess for turning them to account, in the number and opportunity of our rivers and water-courses, which furnish at once the cheapest power for moving machinery and the happiest facilities for communication between the different sections of the country; in the intelligence, enterprise, and industry, and we may venture to add, temperance, patience, perseverance, and generally high moral character of our citizens; above all, in that singular blessing of Providence, by the effect of which it has happened, in recompense perhaps for the rare virtues which distinguished our fathers, that in this favored region, and this alone upon the wide face of the earth, the individual is permitted to enjoy the fruits of his labor undiminished either by the arbitrary violence or exorbitant legal exactions of government;—when we reflect on this extraordinary combination of favorable circumstances, we cannot hesitate to affirm that our situation is eminently auspicious for the establishment of almost every branch of industry. We should deem it a libel on our countrymen to suppose that they must painfully carry their rich natural products to other countries, four or five thousand miles distant, in order to have them fashioned for use; and we are well satisfied, as we remarked before, that no accidental causes or want of legislative protection can much longer prevent us from supplying ourselves with most of the articles which we now receive from Europe. With these convictions, and believing also at the same time that, although the ultimate success of our manufacturing establishments cannot be questioned, they are liable while yet in an infant state to suffer by the effect of foreign competition occasional blights, which, if comparatively unimportant to the community, are yet fraught with ruin to individuals, to families, and even to whole classes of citizens, we regard the situation of the country as that in which a judicious protecting legislation may be applied with the best results to its appropriate purpose of aiding the healthy operation of natural causes, and averting accidental and temporary evils. We therefore cannot hesitate in giving it the support, however feeble, of our concurrence and express approbation.

It is time, however, to draw this article, already of a length which could only be justified by the importance of the subject, to a close. We cannot conclude without expressing a hope that the policy of the government, on this subject, will never be

affected by the progress or results of any of the ephemeral struggles for place and power, that have divided and may hereafter divide the citizens. The duty of encouraging and protecting our own industry should, and will, we trust, be regarded by all the parties that may successively predominate as too high, too vitally important,—too sacred, we might almost say,—to be overlooked in deference to any suggestions of immediate interest; and, what is perhaps a still better security for its future observance, its very importance and the consequent general popularity of all measures taken in fulfilment of it, will always render it the immediate interest of our statesmen, however divided on minor points, to unite in pursuing such a course. The protecting system has in fact become already the settled policy of the country. It was recommended and sanctioned at the outset of the government by the powerful mind of Hamilton, a name which stands higher, both abroad and at home, for skill in practical legislation, than almost any other that adorns our political history, and is nearly sufficient of itself to give authority to any opinion. It survived and flourished through all the various turns of the long contest for power, in which that statesman and his contemporaries were afterwards engaged. At the close of the war with Great Britain, which finally terminated these ancient feuds, the protecting policy was resumed with renovated interest and vigor by the united community, and has ever since been constantly gaining upon the general favor. During the late struggle for the Presidency it was professed with equal zeal, and probably with equal conviction, by a decided majority of the friends of all the candidates; and the great states, whose powerful influence contributed mainly to the elevation of the successful one, Pennsylvania, New York, and Ohio, have always been its warmest adherents and principal supporters. The President himself has given in print, both before and since his election, satisfactory indications of the concurrence of his sentiments on this subject with those of the people. We have a right to suppose therefore, that the influence of the administration will be exerted in future, as it has hitherto been ever since the foundation of the government, in favor of this policy. A strong disapprobation of it has no doubt been manifested by a considerable, and every way respectable portion of the planters of the Southern, and the navigators of the Northern states; but longer experience will convince even them, that it is not less

beneficial to their interests than to those of the rest of the community; and we confidently trust, that Congress, unmoved by any temporary burst of opposition, and especially unmoved by the declamations, the sophistry, or the sneers of interested foreigners, will exhibit, in their future proceedings on this subject, the uniformity, steadiness, and wisdom, which have characterized those of all their predecessors. We mean not to intimate an opinion, that they should make no alteration whatever in the details of the existing Tariff, which may be, and probable is, in some parts, susceptible of improvement. We only mean, that all the legislation on economical matters, however modified in particular points, should display throughout the grand and leading features of a real *American System.*

ART. VII.—*Lafayette en Amérique en* 1824 *et* 1825; *ou Journal d'un Voyage aux Etats-Unis.* Par A. LEVASSEUR, Secrétaire du Général Lafayette pendant son Voyage. Orné de onze Gravures et d'une Carte. En deux Volumes. 8vo. Paris. 1829.

WE have been agreeably disappointed in this work. We feared, that the general familiarity with its subject, at least on the part of its American readers, would take from it all the interest of novelty, and that, from the nature of the case, it must want that of variety. We have found, on trial, that, in both respects, our apprehension was ill-founded. Although we certainly watched the progress of the nation's guest through the country, with the most willing and unabated attention, yet we find, that the details of his progress, in the remote sections of the union, were not, as it was not to be expected they should be, transferred to the public journals in this quarter. A corresponding remark, no doubt, would hold true of any other district of the United States; and we are well persuaded, that wherever the work is taken up, a good portion of the contents will be substantially new to the reader. This will of course be strictly the case with all those parts of the two volumes which relate to matters of a character not to come before the public at the time, or not from any other source than the General himself, or some person directly connected with him;—

everything strictly personal in its nature. Then as to variety, it is not the least astonishing fact connected with this extraordinary visit,—an event, taken in all its parts, unparalleled in the history of man,—that its narrative exhibits an unbounded variety of incident, circumstance, and adventure. The arrival of this great and good person in the country, the reappearance of this friendly genius in the sphere of his youthful and beneficent visitations, seemed to call up the whole population of the country in array to welcome him; but not in the stiff uniform of a parade, not in the court dress of a heartless ceremony. Society presented itself before him in all its shades and gradations, of which more are to be found coëxisting in the United States than in any other country. The wealth and luxury of the sea-coast, the newborn abundance of the West; the fashion of the town, the cordiality of the country; the authorities, municipal, national, and state; the living relics of the revolution, honored in the honors paid to their comrade in arms; the scientific and learned bodies, the children at the schools, the members of the associations of active life and of charity; the exiles of Spain, France, and Switzerland; banished monarchs; patriots of whom Europe was not worthy; the African and the Indian;—all took an active and an appropriate part in this auspicious drama of real life. Had the deputed representatives of these various interests and conditions been assembled at some grand ceremonial of reception, in honor of the illustrious stranger, it would have itself, even as the pageant of an hour, have constituted an august spectacle. It would then have borne a worthy and proud comparison with those illustrious triumphs of heroic Rome, where conquered nations and captive princes followed in the train, and which seemed, with reason, to lift the frail mortal, to whom they were conceded, above the earth over which he was borne.

But when we consider, that this glorious and purer triumph was coëxtensive with the Union; that it swept from state to state, and from section to section, one long, unbroken career of rapturous welcome,—banishing feuds, appeasing dissensions, and hushing all tumults but the acclamations of joy,—uniting in one great act of public salutation a fierce and free people, on the eve of a furious contest, with the *aura epileptica* of the canvass already rushing over the body politic; that it was continued near a twelvemonth, an *annus mirabilis* of rejoicing, auspiciously commenced, successfully pursued, and happily and

gracefully accomplished, we have in it the elements and substance of a great chapter in the fate of nations, nowhere else to be found; and which, to be realized and relished, must have been witnessed. The fate of nations, we say, for it was nothing less. In addition to what was peculiar and personal in Lafayette,—and of this there was enough to furnish out a liberal assignment of merit to a dozen great men of the common sort,—it was necessary that numerous high associations should have linked his name with all the great political convulsions of the day. Having performed an arduous, dangerous, honorable, and successful part in that crisis in the fate of our own country, which is of itself unexampled in human things, it was necessary, that, pursuing the path of immortal renown, on which his feet had laid hold in America, he should have engaged among the foremost in that stupendous revolution of his own country, where he stood serene amidst the madness of an empire; wielding, without abusing, a military force as far greater than that of the Emperor Napoleon, as the spontaneous rush of a whole race of men is more formidable than the march of a class of the conscription. It was necessary to the feeling with which Lafayette was received in America, that he should have nobly washed his hands of the blood of that revolution, and that the emperors of the earth, in mockery of the long-suffering of Providence, should have immured him in their dungeons for having protected their crowned daughters from the midnight assassin. It was necessary, when another stupendous reaction of things had seated the man of destiny on the throne of France, and, as it seemed, of Europe, that Lafayette alone, not by a convulsive effort of fanatical hardihood, but in the calm consciousness of a weight of character that would bear him out in the step, should deliberately, and in writing, refuse to acknowledge the power, before which the whole contemporary generation quailed. When again the wheel of empire had turned, and when this dreadful colossus had been crushed beneath the weight of Europe (mustered against him more in desperation than in self-assured power), and in falling had dragged down to the dust the honor and the strength of France, it was necessary, when the dust and smoke of the contest had blown off, that the faithful sentinel of liberty should have been seen at his post, ready again to stake his life and his reputation, in another of those fearful and critical junctures, when the stoutest hearts are apt to re-

treat, and leave the field to desperate men,—the forlorn hope of affairs,—whom some inevitable necessity crowds up to the breach. To refute every imputation of a selfish policy, of a wish to restore himself in the good graces of restored royalty, it was necessary that he, the only individual of continental Europe, who, within the reach of Napoleon's sceptre, had refused to acknowledge his title, should be coldly viewed by the reappearing dynasty, and that he should be seen and heard, not in the court or the cabinet, but at the tribune, the calm, rational, ever consistent champion of freedom, a representative of the people in constitutional France. These were the titles of Lafayette to the respect, the love, the passionate admiration of the people, to whom he had consecrated the bloom of his youth, for whom he had lavished his treasure and his blood.

We might have added, that, in order to give even to common minds a topic of delightful and mysterious admiration, when strong minds were tasked to do justice to the theme,—in order to make a character, in which even the ingredients of romance were mingled up with the purest, loftiest, and sternest virtues, these just and authentic titles to respect were united in an individual who had been placed by birth, education, and fortune, in the foremost circle of the gay chivalry of France; who sacrificed all that a false ambition could covet, before he aspired to all that a pure and noble ambition could reach; and thus began life, by trampling under foot the glittering baubles, which Chatham accepted, and Burke did not refuse, and for which the mass of eminent men in Europe barter health, comfort, and conscience. Such was the man whom the Congress of the United States invited to our shores, and who came to gather in the rich harvest of a people's love. Well might he do it. He had sown it in weakness; should he not reap it in power? He had come to us, a poor and struggling colony, and periled his life in our cause; was he not entitled to the gratitude of the flourishing state? When he embarked in our cause, it was the utmost he could have promised himself, in the ordinary calculation of human things, and in the almost desperate event of a successful issue to the struggle, that some far distant posterity would illustrate, by the growth and prosperity of the country, the value of those services which he had contributed to her freedom. It was just, that he should himself come to witness and enjoy its rapid, its miraculous growth and elevation. We pity the hearts, quite as much as

we do the heads of those, who have seen and proclaimed in his brilliant reception, nothing but an 'ostentatious love of parade.' There never was a simpler, juster movement of a people. The triumph of Lafayette through America was as righteously due him, as the harvest is due to the husbandman, who has planted the seed and tilled the soil. His services, his character, his history, his life were fairly and richly entitled to it; and though, most manifestly, nothing more unpremeditated and unexpected ever took place in the affairs of a nation, yet, had the most rigid deliberation on what was decent and proper preceded his visit, not a shout of welcome would have been retrenched. He deserved it all for himself; and it was also due to the principles which had guided him, and the great cause which, in both hemispheres, he had served.

In common cases, nations must necessarily act and speak through the organs of their government, and less directly through that of the press. But it cannot often happen, that either channel of communication does justice to the intense and hearty concert of opinion and feeling which takes possession of a free people in reference to some great exciting subjects. Occasionally this opinion and this feeling will find another and a vastly more general, emphatic, far-resounding utterance; usually by means of primary assemblies throughout the country. The advent of Lafayette furnished an occasion singularly well adapted for such a testimony, on the part of the American people, to the great cause of liberty. The revolutions in Spanish America had appealed strongly to the sympathy of the people of the United States, and the unanimous recognition of their independence was a fine burst of legislative feeling; the excitement in favor of reviving Greece was widely felt, and warmly expressed, and liberally manifested; but neither of these subjects was in its nature so susceptible of the cordial coöperation of the American people, nor so free from all alloy of doubt and human imperfection. There was positively nothing to qualify the good will and heartiness, with which the people of America rose up to welcome the great champion of human right, and, in recognising his merit, to reassert the principles to which his life had been consecrated. Never perhaps did so fine an occasion for bearing this testimony present itself. In the common course of things, the field of battle, too often disastrous battle, has been the theatre on which a whole people, struggling to be free, has proclaimed its love of liberty. There is scarce any other oc-

casion, that can naturally draw them forth. Here was a scene of peace and love; comprehending, from its nature, a whole people, uniting all parties, and all men who loved their country, with all the animation derived from the actual presence of a living object of respect and affection.

The very commencement and conclusion of the voyage of Lafayette,—we mean those portions of it, which were performed on the soil of France,—will furnish the best illustration of the distinction we would draw between the militant and the triumphant testimony of the friends of liberty. In the first chapter of the work before us we find the following paragraph.

'The patriotism of the citizens of Havre had prepared for Lafayette a reception in that city of a nature well calculated to touch his feelings. But the preposterous jealousy of the authorities interfered with the *fête*, and if the citizens had been less *discreet*, would have changed it into a scene of disorder and perhaps of blood. Agents of the police, *gendarmes*, and Swiss guards emulated each other, in their zeal to repress the noble sentiments of the people, during the short time that General Lafayette remained among them. It was, however, in presence of the whole population, and under the liveliest manifestations of the public feeling, that he embarked on the thirteenth of May.' Vol. I. p. 4.

This scene, to the credit of the municipality of Havre for the succeeding year, or of those, from whom that municipality received its instructions, was reversed when the General returned to France. 'As to the authorities of the city,' says Colonel Levasseur, 'they were this year all that they ought to have been the last year, and gave free scope to the manifestation of public opinion. In his passage from the port to the house of M. de Laroche, where he took up his quarters, the General had not the pain of seeing his friends threatened by the sabre of *gendarmes*, or insulted by the presence of foreign troops.'

Far different was the scene at Rouen.

'On arriving at Rouen, we took lodgings with M. Cabanon, a respectable merchant, who continued to represent the department in the Chamber of Deputies, as long as his fellow citizens were untrammeled in the exercise of the right of suffrage. The colleague and friend of General Lafayette, he had claimed the privilege of receiving at his table the guest of America; and had procured him the pleasure of meeting there with the members of his family and a large number of the most respectable citizens of the ancient capital of Normandy. Toward the conclusion of the

dinner, the General was informed, that a numerous assemblage was collected in the street, attended by a band of musicians, and desirous to salute him. He hastened to the balcony, to acknowledge this mark of the regard of the people of Rouen. But scarcely had the first acclamations been heard, when detachments of the royal guards and the *gendarmerie* were seen advancing from each extremity of the street, in which M. Cabanon's house stood, who, without previous warning, proceeded to disperse the throng. The discretion with which the guards executed the orders received from an imprudent and blinded authority, proved how repugnant this service was to their feelings; but the *gendarmerie*, solicitous no doubt to show itself the worthy instrument of the power by which it was employed, made a *valiant* charge upon the defenceless citizen, and, without allowing themselves to be impeded by the cries of the women and children, who were trampled under their horses' feet, a manufacturer from Bolbec, an old man of Rouen, and several other persons, were severely wounded. Many others were illegally and brutally arrested. After these glorious exploits, the *gendarmes*, left masters of the field, awaited the departure of General Lafayette, sword in hand, and accompanied his carriage to the hotel where he was to lodge, abusing him as they went.' Vol. II. pp. 620, 621.

'The next morning, October the 8th, the court of the hotel was filled by young men on horseback, determined to escort the General to the first post. Their looks and some expressions which fell from them persuaded me, that their feelings still dwelt on the scene of the preceding evening, and that they had resolved that it should not be renewed with impunity. The posts of infantry and *gendarmerie* had been doubled during the night, as if great events were expected the following day; but happily the authorities stopped short, with these ridiculous demonstrations, and General Lafayette departed unmolested from the city, receiving on his way frequent manifestations of the good will of the people.' p. 623.

It is pleasing, however, to reflect, that the tone of authority has, since this period, been lowered in France, and that the voice of popular feeling is daily gathering strength and decision. And here again, amidst the ferment which agitates the anxious friends of liberty, our beloved General is the central point to which their thoughts and hopes are rallied. It is well known, that an entire change of ministry has recently taken place in France, by which the administration has been thrown back into the hands of the Ultra-royal party. The burst of public indignation has been tremendous, and while we write, the news of the overthrow of this strange new combination, is

expected by the first arrivals from Europe. Meantime, General Lafayette, on an occasion of private business, has been led to traverse a part of the South of France, and to visit the city of Lyons. Wherever he moves he is received with demonstrations of joy, scarcely less unanimous than those which hailed him in America; and restrained by the arm of arbitrary power from a more direct opposition to a ministry, constituted in open defiance of the people's will, they have gathered about the veteran champion of the cause. He has met their advances, with a vigor and a plainness worthy of the man and of the crisis; and we recommend those, who have doubted the talent and the force of character of Lafayette, to read the speeches addressed by him to the citizens of Lyons, on entering that city, and at the public festival given there in his honor.

But it is time that we speak more particularly of Colonel Levasseur's work. We need scarcely recall to the minds of our readers, that this gentleman accompanied General Lafayette during his tour in America, in the capacity of private secretary. It appears, that he continued to sustain that relation to the General for two or three years after the conclusion of the voyage; and it is stated in the Preface to this work, as the reason for delaying its appearance till the present time, that its author felt himself restrained, by motives of delicacy, from publishing the account of this memorable tour, so long as he should remain in the service of the General. No part therefore of the responsibility of the work rests with Lafayette; at the same time, that the relation subsisting between him and the author, and the confidence implied in it on the part of the General, furnish abundant guarantee of the authenticity of every portion of it. We repeat, that, although every reader in the United States may, at first, be inclined to suppose that he derived, at the time, from the newspapers of the day, minute and adequate information on the subject of this memorable tour, there are few readers, who will not find a good portion of it recommended by substantial novelty; and still fewer to whom this continuous narrative of an event,—raised by its moral influence far above the character of a mere incident in the chapter of passing occurrences,—may not be perused to advantage. It is especially the best record, which we can preserve and hand down to our children, of one of those portions of history we would most wish them to enjoy; and were it only on this account, it ought to find a place in every American library. To

the foreign reader, in addition to the interest arising from its main topic, it will possess considerable value for the historical and statistical information which it contains relative to the different States of the Union.

Regarding the reception of the General on his landing and in the principal Atlantic cities, as those portions of the work least likely to possess the attraction of novelty, we shall not dwell upon them. We make only the following quotation, from the chapter which relates the passage from Philadelphia to Baltimore.

'Just as we were going on board the steam-boat, which was to take us to Baltimore, we were informed that the Secretary of State, Mr Adams, had arrived at Frenchtown, on his return to Washington, and had eagerly accepted the invitation to join the party which accompanied the General, who had the pleasure of meeting in Mr Adams an old and valued acquaintance.

'Many travellers, who have visited the United States, and who pretend to be acquainted with the character of the people, have maintained that the Americans, in spite of their republican institutions, are essentially aristocratic in their manners. The following occurrence, by no means a solitary one, may serve as an answer to this accusation, the rather as it will be followed up by many others of the same character, which I shall have occasion to relate.

'On board the steam-boat, which was to take us down the Chesapeake bay, a small cabin had been prepared for General Lafayette; and as the committee of arrangements had had the kindness to think, that those who had shared his fatigues ought to share his repose, they had caused two other beds to be placed in the same apartment, one for his son, and one for his secretary. We were ignorant how our fellow travellers, who were exceedingly numerous, were to pass the night, when Mr George Lafayette, having occasion to traverse the main cabin, where we had just dined, found that it had been transformed into a dormitory, covered with beds, of which the crowd of passengers took possession without ceremony. Among those thus provided for, he was surprised to see Mr Adams. He urged him to exchange beds with him. Mr Adams declined. I came up at this juncture and joined my solicitations to those of Mr George Lafayette, adding that I hoped he would not give me the mortification of sleeping in a good bed, while a person of his character was stretched on the floor. He replied in obliging terms, but positively declined a compliance with our request. Finally, pressed by our renewed urgency, and by an appeal which we had made to the name of General Lafayette, he declared, that, even were he disposed to accept our proposal, he could not do it with propriety, as the committee had reserved

the apartment for General Lafayette and his suite, and their arrangements ought above all things to be regarded by their fellow citizens. Mr George Lafayette repaired immediately to a member of the committee, and begged him, in the name of his father, to admit Mr Adams into our cabin, in the place of one of us. This last condition did not appear admissible to the committee, who finally determined to have a fourth bed placed in our cabin for Mr Adams, not because he was Secretary of State, but because General Lafayette had wished to have him, as an old friend, by his side. Nor would Mr Adams leave the crowd to enter our room, till he had received a formal invitation from the committee. If the American manners are prone to aristocracy, it must be admitted that the high officers of government do not enjoy its immunities.' Vol. I. pp. 334–336.

The following curious incident occurred during the visit of the General at Yorktown, which, though of course mentioned in the papers at the time, we do not recollect to have noticed.

'A circumstance somewhat curious,' says Colonel Levasseur, 'gave additional zest to this patriotic and military festival. I have already observed, that on the arrival of General Lafayette at Yorktown, he had taken up his lodgings in the same house, where Lord Cornwallis was quartered, forty years before. Some servants, in examining the cellar with a view to the deposit of the refreshments and stores provided for the *fête*, found a large box in a dark corner, the appearance and antiquity of which excited their notice. On opening it, they found it filled with wax candles. The address on the cover of the box was then examined, and it proved to be a part of the stores laid in for Lord Cornwallis, during the siege. The tidings of this prize spread through the house, to the tents; the wax candles were taken possession of, and lighted in the centre of the encampment, where a ball was given by the troops to the ladies of the neighborhood. A ball at Yorktown in 1824, lighted by Lord Cornwallis's candles, was a subject of no little pleasantry to the old soldiers, who attended the *fête;* few of whom, notwithstanding their age and the fatigues of the day, would quit the spot, till they had seen the candles down to the socket.' pp. 405, 406.

On occasion of this visit to Yorktown, which suggested the recollection of a brilliant exploit achieved by the coöperation of French arms, Colonel Levasseur falls into a train of reflections equally just and ingenious, and tending to expose the narrow grounds, on which the opponents of liberal institutions have chosen to place their cause, even on occasions, when it most imported them to give the widest range to the principle of conciliation, and where circumstances seemed to court them to

adopt a generous tone. Colonel Levasseur had the gratification of receiving from an American, who is not named, details of the conduct of the French army in this campaign, alike creditable to its discipline, spirit, and bravery.

'I do not deny,' he adds, 'that these tributes to the noble conduct of my fellow citizens penetrated my heart with delight. Why, then, at the period of the French restoration in 1815, when its leaders were aiming to associate its banners with glorious recollections, or to obliterate the memory of the triumphs of the three-colored cockade, why did they perpetually invoke the standard of Henry the Fourth, which was never displayed but in civil wars, or that of Louis the Fourteenth, that led the way to dear-bought victories or disastrous retreats? Why did not *they* claim, as a lawful inheritance, a part of the glory of the American revolutionary war? Was it not beneath the *drapeau blanc*, that the grenadiers of Rochambeau marched to the storm of Yorktown? Was it not under the colors of *legitimacy*, that our marine immortalized itself, by securing the deliverance of a free people, by the dispersion of the English fleets. Would they reject this glory because it was earned in the service of liberty? I know not. But one thing is certain, that, while we were celebrating the anniversary of the taking of Yorktown, the French squadron, commanded by Admiral ———, and then lying in Hampton Roads, within hearing of the shouts with which grateful America commemorated the services of France, remained coldly aloof from a festival, which ought to have been regarded as a family *fête* of the two nations. For the rest, we were apprized that this inexplicable indifference or coldness was not shared either by the crews, or by the majority of the officers of the squadron. Among the latter some succeeded in leaving their vessels, and joining in a civil dress the patriotic festival, at which, could they have presented themselves in their character as French officers, the place of honor would have been cheerfully assigned them by the Americans.' pp. 420–422.

We must here be permitted to make a few remarks on the relations, in which the governments of Europe stand to the United States of America, considered as a power representing popular principles, in their purest form. The only leading powers of Europe, with which our relations are likely to assume a critical cast, are England, France, and Russia. Russia, although the power whose institutions would seem most at variance with our own, has ever shown the kindest disposition toward the government of the United States. Our ministers at St Petersburgh have been treated with something more than ceremonious courtesy. She offered her mediation to

bring about a peace between the United States and Great Britain, in a manner evincing the most cordial friendship for America. Having taken a ground, in reference to the extent of her possessions on the Northwest Coast of America, and the rights of other powers in the navigation of the North Pacific, inconsistent with the claims of the United States in that quarter, instead of setting a commission of lawyers to work,—as Great Britain did on the like occasion,—to draw up a sophistical title to territory discovered, explored, and rightfully claimed by the United States, Russia came handsomely and promptly to a reasonable settlement of the question. For the only claims of our merchants on her for spoliations, she has long since made ample and honorable indemnity. All this is to the credit of the honor and probity of the Russian councils, and in that light we name it. But were she pursuing the most selfish course from the merest motives of calculation, she would not have done otherwise. No American statesman can rise from the survey of the foreign affairs of his country, without feelings of kindness toward Russia. And as surely as causes produce effects, this feeling will operate, whenever occasion is presented, by the international relations of the states of Europe and America. We admit, that, as Russia was very slightly concerned, in any way, with the revolutionary politics of the United States, this friendly course, on her part, was not attended with any difficulty; although all the prejudices of that government (a government too, which derives its tone from the feelings of one individual, and is therefore less amenable to public sentiment) might have been expected to run in an opposite direction in respect to the United States, as a revolutionary and democratic government.

France and England are more delicately situated. Natural enemies (as it is called) to each other, America is the rebellious offspring (as it is again called) of England; and although our revolution was most powerfully aided by the government of France, administered by the present reigning family, yet this same revolution is regarded as having had great influence in bringing on that of France, which, in its course, became so disastrous to the then head of that family. These circumstances, we admit, produce a relation of some delicacy; and what has been the effect? In England, generally speaking, the government party, inheriting the feelings of the year 1775, has not only retained the soreness and irritation of that period,

but, through the literary organs under its influence, has libelled America, its institutions, its manners, and its citizens, atrociously and systematically; and still does it. The liberal party, as such, has been disposed in England to entertain a sympathy with America; and this circumstance gives to that party all the real strength they possess. But for the prosperous event of the American revolution, the issue of the French revolution would have made the very name of a liberal party a by-word in Europe for five centuries to come. If the patriots in America had been trampled down and put in the wrong, and an arbitrary government consolidated on their necks, and all the fair abounding fruits of liberal institutions, in this hemisphere, nipped in the bud; and if, on the heels of this deplorable result, the French revolution, with its train of ghastly excesses, had crowded, we say again, that the cause of liberal institutions would have stood about as fair in England, as it does at present in the Celestial empire of China. So that we make use of no exaggeration, when we say, that the liberal party in England owes whatever strength it possesses to America, and their supposed sympathy with us. On the other hand, the opposite party, by persevering in a hostile disposition, by keeping its pack of venal scribblers in full cry against us, not only most effectually strengthens the liberal party at home, but puts itself in the wrong on almost all questions, on which the good feelings of the age are strongly enlisted. If the British ministry systematically cultivated such a feeling toward us as animates the Russian government, it would not only be productive of the happiest effects between the two countries, and obviate, as far as depends on Great Britain, the cruel necessity of a periodical war, but (which, to be sure, is no business of ours) it would, more than anything else in their foreign relations, strengthen them at home. This is so unquestionable, that a weak minister is *comparatively* well disposed to the United States, and a popular minister the reverse. The whole period since the peace of 1815, till the last year, has been covered by the ministerial influences of Lord Castlereagh and Mr Canning. Of the two, the liberal minister, the minister who sprung from the people, and boasted of his origin, was by far the less liberal, in his official intercourse with the United States. Nor have we much doubt, that the case will continue to be illustrated by Lord Wellington, who, weak in those points in which Mr Canning felt himself strong,—we mean the eulogies of the

liberal press,—will feel no inclination to add to the other embarrassments of his administration, that of keeping up Mr Canning's absurd quarrel with us, and continuing to reject the overtures, made by the United States, for a settlement of the question of the colonial trade on terms professedly satisfactory to England herself. Should this conciliatory course, however, be adopted by the Duke of Wellington, it will only be in his case, as it was in Lord Londonderry's, the convenience of the minister, triumphing over the prejudices of the Tory.

The relations of the government of France towards the United States are still more complicated, in consequence of the supposed connexion between the revolutions of the two countries. There is no cordiality between the governments of England and France, except as far as a government of France, unsupported by the popular feeling in that country, may lean upon the British government for support. But, in the nature of things, there is no predilection on the part of these governments for each other; and consequently the cordiality between the French and the American governments ought to increase, as the unfriendliness of the British councils towards us or them is apparent. In fact, from a principle of this kind was derived, no doubt, the resolution of the French government to take part in our revolutionary struggle. We speak, of course, only of the reasons of state which actuated the ministry and the king. But the close succession of the French revolution upon ours seemed to identify the overthrow of the Bourbon dynasty with the event of the American contest, and engraved a horror of all revolutions on the heart of the kings of France. But this, like all the other cruel contradictions of the French revolution, ought, for the interest of both nations, to be forgotten. France, as such, might possess, in the revolutionary recollections of America, a tower of strength. The same reasons of state, which prompted the ministry of Louis the Sixteenth to the very strong measure of sending his fleets, in a time of peace with England, to take the part of the revolted colonies, certainly suggest, to any administration of his successors, the expediency of cherishing and reciprocating the friendly sentiments of America toward France. It is for the interest of France to follow the example, not of England, but of Russia; and not to look with coldness on the ripe fruits of the revolutionary struggle, whose first germs she fostered and protected. We cannot well conceive of anything more unnatural,

than an order given by the French ministry to the officers of a squadron of Charles the Tenth to refuse to join the Americans in 1824, in commemorating a victory gained by the coöperation of the armies of his brother, Louis the Sixteenth, in 1781.

But we return to the work before us. The passage of General Lafayette through the territory of the Creek Indians, is a portion of this narrative among the most curious. Several of the incidents, however, through some other channel, have already appeared before the public, and we may therefore venture to forbear the quotation of them. The reception of General Lafayette, by the population of New Orleans, was, in like manner, not among the least interesting occurrences of the tour. The large proportion of French intermixed with the American, in that population, was a circumstance which could not but add much to the enthusiasm, with which this illustrious son of France was received. But there were others, besides the French and Americans, that pressed with equal earnestness about him, and we are not sure that any part of these volumes has appealed more strongly to our own feelings, than that which records the interview of the Spanish patriots with General Lafayette.

'In the course of the morning,' says Colonel Levasseur, 'a deputation of Spanish settlers and refugees waited on the General, to pay their respects to him, and especially to express their gratitude to him, for the manner, in which, in the Chamber of Deputies, he had opposed the invasion of Spain, and the overthrow of the liberal constitution. The organ of the deputation thus expressed himself;

'"General, the Spaniards established in this region, and those proscribed in their native land, have united to offer you their sincere congratulations on your arrival in these States; whose fruitful liberties are owing in part to your sacrifices and your perseverance. They congratulate themselves on the opportunity, which they thus enjoy (amidst the patriotic recollections of one portion of their company, and the distressing anxieties of the other), of beholding the hero, whose actions, words, and conduct justify their liberal sentiments, and the extremity to which they have gone, in withdrawing themselves from the reach of a government, which persecutes and dooms them, and exposes them to the danger and vicissitudes of exile. Your esteem for the brave and unfortunate Riego; the tribute of remembrance, which, on all occasions, you have taken pleasure in paying to this ill-fated victim of a cruel and jealous court; the homage with which you honor the ashes of this worthy patriot, are at once the best encouragement

and reward for those, who devote themselves to the sacred cause of liberty. Spaniards, who admired his virtues and shared his opinions, now unfortunate and in exile, come to you, General, with a tranquil conscience. They dare salute you, because they are free from reproach. They are unfortunate. But if in sacrificing themselves, they could save their country, they would cheerfully offer up their lives, invoking, under the axe, the name of Lafayette, and of those, who, like him, presume not to place the obstacles of despotism, tyranny, and the inquisition, in opposition to the spirit of the age, to improvement, and to freedom. Accept, General, the affectionate tribute of our admiration; and let the unhappy Spanish exiles obtain from you an expression of consolation for themselves, and all others who fly before the wasting scourge of tyranny. Such an expression, General, shall be a pledge of your protection, a proof of their innocence, and an assurance of a future more auspicious and honorable to their country."

'The General, whose principles had led him to oppose with energy a measure reproved by France, a measure, which had produced results so afflictive to Spain, and the courageous victims of which were now before him, was profoundly affected by their testimonials of grateful respect, and expressed himself as follows to M. Campe, the president of the deputation;

'"I am equally touched and flattered, sir, by these assurances of esteem and confidence with which I am honored by the former sons of Spain, now citizens of this state, associated, on this occasion, with Spaniards but lately proscribed by a government of terror, that has usurped their rights.

'"While I congratulate those of you, gentlemen, who have the happiness to be members of the great American confederacy, let us all rejoice in the thought that the cause of liberty will in the end triumph over hostile alliances and fraudulent intrigues. Already your beautiful language, the language of Padilla, has become, over an immense extent of territory, in this hemisphere, the language of an independent republic. Already, at two different periods, in the native land of the illustrious and worthy Riego, that language has been the vehicle, in the bosom of the Cortes, of the most eloquent and generous strains; and whatever may have been the momentary success of a war, detested, I delight to say, by France, and of a treacherous influence, in reference to which the Spanish patriots have nothing to learn, liberty will soon return to enlighten and fertilize this interesting part of Europe. Then, and then only, will the manes of Riego, of his young and unfortunate spouse, and of so many other victims to tyranny and superstition, be appeased. Meantime, gentlemen, I am truly grateful for the value, which the Spanish exiles, among whom I reckon

many excellent personal friends, are pleased to place on my regard for them; and I pray you and them, gentlemen, to accept my sincere and respectful thanks."' Vol. II. pp. 213–216.

Who needs to be reminded, that by thus boldly and eloquently asserting the cause of freedom, wherever he went in his wide tour throughout the United States, General Lafayette turned the etiquette of a ceremonious reception into a living and abiding lesson of the highest truth? By whom else with such authority, on what occasion with such force, to what audience with such pertinency, could the cause of Spanish liberty have been pleaded? This beautiful incident was followed up by another, if not more imposing, equally interesting and affecting.

'In the crowd,' says Colonel Levasseur, 'I noticed some ecclesiastics, and among the rest a Capuchin, whose costume, new to me, had attracted my attention on the day of my arrival. The account which I received of him highly interested me, and will, I doubt not, interest the reader.

'Father Antonio is a venerable Spanish ecclesiastic of the Franciscan order, for many years residing in Louisiana. Surrounded by a population composed of different sects, he has never thought it his duty to trouble the consciences of others, by seeking recruits to his own faith. Sometimes, as a Capuchin, Father Antonio solicits charity, but it is only when he has some good action to perform, and his slender means, exhausted by constant alms-giving, are inadequate of themselves to the object. Every year, when on the return of the sickly season, the yellow-fever drives the wealthy inhabitants of New Orleans to their country seats for protection from disease and death, the worth of Father Antonio is seen in all its force. In these days of terror and mourning, how many unfortunates, abandoned by their friends and even their relations, have been indebted for health and life to his devotedness, to his cares, to his piety! Of all whom he has thus saved (and they are numerous), there is not one who can say, "Before taking me under his care, he inquired what was my religion."' 'When he came to see the General, Father Antonio was clothed according to the rule of his order, in a long brown frock, tied with a rope about the body. As soon as he perceived the General, he threw himself into his arms, saying, "Oh, my son, I have found favor with the Lord, for he has granted me, before I die, to see and hear the worthiest apostle of liberty." He then conversed with the General, for a few moments, in the most affectionate manner, complimented him on the glorious and well deserved reception which he had received from the Americans, and modestly withdrew into a corner of the apartment.' 'When

the crowd had retired and he found the General alone, he ran to him and pressing him again in his arms, exclaimed, "Adieu my son; adieu, beloved General. Farewell! may the Lord go before thee, and after thy glorious visit is over, may he guide thee to the bosom of thy beloved family, to enjoy in peace the recollection of thy good actions, and the friendship of the people of America. Oh, my son, perhaps thou art still reserved for great achievements! Perhaps the Lord will yet make thee the instrument of emancipating other nations. Should that time come, think, my son, of poor Spain. Abandon not my dear country, my unhappy country." The tears fell on his venerable beard; his utterance was choked, and it was only after a pause of the deepest emotion that he was able to add, "My son, my dear son, do something for my wretched country." ' pp. 230–233.

When we read, in the last papers from France, the accounts of the present state of things in that kingdom; when we notice the irresistible onset made upon the ministry, and the visible purturbation of its ranks, it is impossible wholly to suppress the idea, that another great change is at hand. When we see the spontaneous movement of the people toward the person of Lafayette, the glowing zeal with which they have turned an excursion of business into another triumphant progress, strewing his way with honors such as loyal France never paid to her most cherished princes, we cannot but think, that the aspiration of the venerable Spanish priest is almost prophetic. The feelings of men inspire their actions; public sentiment governs states; and revolutions are the outbreakings of mighty, irrepressible passions. It is in vain to deny that these passions are up, in France; and happy is it, that they have concentrated themselves upon a patriot, whom prosperity has as little been able to corrupt, as adversity to subdue.

The happy amalgamation of the French and American population in Louisiana was evidently one of the most agreeable spectacles, which presented itself to General Lafayette, on his tour. It is one of the most precious lessons which our history contains. When Louisiana was acquired, a great problem presented itself, of which the solution could not be thrust aside; which it was necessary for the government and the people of the United States and the inhabitants of Louisiana to meet. France sold the country to the United States. It is plain, that, on American principles, France could do nothing, which would bind any body but herself; and that we could acquire no rights, under the purchase, except as against France

and other powers admitting the right of a mother country to transfer the jurisdiction of a colony. It was the opinion of Mr Jefferson and his cabinet, that it was necessary for the people of Louisiana to do some act, expressive of their willingness to join the American people, and that the constitution of the United States must be amended, to admit of this addition to the confederated family. The first measure (which presented no practical difficulties, that we are aware of) was superseded by the obvious good will and predisposition of the population. The second (which in the theory of our government was necessary) was waved under the dictation of high national convenience; and it is not within our knowledge, that the momentous result of transferring all Louisiana (an empire of itself) from one jurisdiction to another, was attended with an irregular movement, which it required a sergeant's guard to repress.

While the Canadas have been haunting the British parliament, for seventy years, like a wrathful ghost, constantly harassed with a legislation that never satisfies them, overwhelmed with favors that do not propitiate, and taunted with concessions which are as grateful to a proud colony as alms-bread is to a proud man, Louisiana has sprung up at once into an affectionate, congenial member of the confederacy. She was Catholic; how did Protestant America deal with that fearfully sensitive interest, the Catholic faith of her newly gathered brethren? The treaty of cession guarantied to them the undisturbed liberty of conscience, with the assurance that this is all, which any communion in the whole republic enjoys. In Canada, the British government *tolerates* the Catholic faith, the faith of the mass of the population, (and next to persecution, *toleration* is the most odious word in the vocabulary of oppression; for the power, that makes a merit of tolerating, claims *ipso facto* the right of not tolerating, that is, of persecuting), endows the Church of England, and even requires the professors of her colleges in Canada to subscribe to the Thirty-nine Articles.*

* In the very interesting debate in the House of Commons, May 2, 1828, 'on the civil government of the Canadas,' *Sir James Mackintosh* observed, 'In Upper Canada, the people were much dissappointed, by the immense grants of land, which had been made to the Church of England, and the reserves kept for a church, which is not the religion of a majority of the people. Such endowments may be held sacred, when they have been long made, but I do not see the propriety of now

Louisiana had been both a Spanish and a French colony; how did republican America manage the nice questions of government and law? She guarantied to them the enjoyment of all those portions of their old law, which they themselves might choose to retain; declared them independent, and free to adopt any modification of republican government, that they might choose; and admitted them into the federal union, on terms of equality. In Canada, before the question can be answered, on what footing England has placed the law and the government, you must say as to what period of ten years you inquire; for two lustrums is an old age for a British charter in Canada. There is the law of 1763, and the law of 1774, and the law of 1778, and the law of 1791, as each new minister chooses to make what he deems *experimentum in corpore vili.*

Most ardently is it to be wished, that the happy example, which has so prosperously attached to our union, on the south, the French colony of Louisiana, could effectually point the way to an equally auspicious junction of the French colonies of the north. What privileges would it open for the Canadas; what collisions would it obviate between Great Britain and the United States; what a relief would it afford to England; what a noble accession would it constitute to our republic. Great Britain, of course, in the present improved state of political science, can claim no right to control the will of the people of Canada. When this subject was alluded to, in the House of Commons, in the debate above mentioned, all that was maintained in favor of a perpetuity of the colonial bond, was that England was bound *to protect* the colonies. This obligation, of course, ceases at the will of the colonists. It is not the duty of England to protect them, if they do not wish to be protected; and if the four British provinces in North America should to-morrow propose to renounce the government of Great Britain, and join the confederacy of the United States, as the Congress of 1774 invited them to do,

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making such endowments for a church which is not the religion of the people, nor do I understand the regulations, which have been made for the new college in Upper Canada. I see, with astonishment, that in a country, where the majority of the people do not belong to the Church of England, the professors must all subscribe to the Thirty-nine Articles; so that if Dr Adam Smith were alive, he could not fill the chair of political economy, and Dr Black would be excluded from the chair of chemistry.'

we do not know on what sound principles of natural or national law Great Britain could interpose an objection.

But, to return once more to the work before us, the passage of General Lafayette up the Mississippi; his visits to St Louis, to Kaskaskia in Illinois, to Nashville in Tennessee, to Jeffersonville in Indiana, to Kentucky and Ohio; his return to this neighborhood, to assist in the laying of the corner-stone of the monument on Bunker Hill; his excursion to New Hampshire, Vermont, and Maine; his return through New York, Philadelphia, and Baltimore, to Washington; his valediction at Washington; his passage back to France, and his reception at home,—the topics which fill the residue of the second volume, are richly diversified with interesting matter of every kind. We might specify his rencounter with a female Indian, who had been brought up in civilized, and returned to savage life, the daughter of a chief who had served under Lafayette in 1778, and received from him a written testimonial to his character; the interview at Nashville with the President of the United States; the disaster on the Ohio, occasioned by a *snag;* the visit to Mr Gallatin; the whole ceremonial of Bunker Hill; and the farewell scene at Washington. But we have left ourselves no space for further extracts.

There are those who deny to General Lafayette the name of *a great man.* This is a vague phrase, hard to define, of an acceptation somewhat dependent on the circle in which it is used. Does goodness belong to greatness, and make a part of it? Who is there, that has run through such a career with so little reproach? Are military courage and conduct the test of greatness? Lafayette was trusted by Washington with all kinds of service; the laborious and the complicated, which required patience and skill; the perilous, that demanded nerve; and we see him keeping up a pursuit, effecting a retreat, outmanœuvring an enemy, and heading an assault, with equal reputation and success. Are the willingness to meet tremendous responsibility, and the cool and brave administration of gigantic power, proofs of greatness? Lafayette commanded in chief the national guard of France, three millions of bayonets. Is the fortitude, required to resist the urgency of a multitude pressing onward their leader to crime, a trait of true greatness? Behold Lafayette, when he might have been the chief, becoming the fugitive of the French revolution. Is the solitary and unaided opposition of a good citizen to the pretensions of

an absolute ruler, whose power was as boundless as his ambition, an effort of greatness? Read the letter of Lafayette to Napoleon Bonaparte, refusing to vote for him as consul for life. Is a voluntary return, in advancing years, to the direction of affairs, at a moment like that when the ponderous machinery of the French empire was flying asunder, stunning, rending, crushing, annihilating thousands on every side, a mark of greatness? Consider his calmness at the tribune, when allied Europe was at the gates of Paris, and Napoleon yet stood in his desperation and at bay. And add to all this the dignity, the propriety, the cheerfulness, the matchless discretion of his conduct, in the strange, new position, in which he was placed in this country. Those who deny such a man the meed of greatness, may award it, if they please, to their Alexanders and Cæsars, their Frederics and their Wellingtons.

Art. VIII.—*A Year in Spain.* By a Young American. Boston. Hilliard, Gray, & Co. 8vo. pp. 395.

The author of this book is certainly a sprightly, sensible, well informed traveller, with great activity of observation, a good talent at narration, and not deficient in the power of presenting scenes and objects to the reader's imagination. In October, 1826, he finds himself at Perpignan in the South of France, which he is the more willing to leave behind for Spain, as he had been disappointed in the scenery, and especially, what he expected to find the most delightful, the vineyards, which, instead of answering to the brilliant picture he had fancied, appeared very like our bean-fields or hop-fields; and as the cold north wind had withered and scattered the vine leaves, and the props, which answer to our bean-poles or hop-poles, had been removed to be housed for the winter, the prospect of the naked fields offered no charms to detain him from passing the Pyrenees. He found little of the Arcadia which he had imagined in this part of France, except the women, whom he admits to be Arcadian and 'beautiful; their glowing eyes and arch expression denoted intelligence and passionate feeling; while their ruddy hue and symmetric conformation gave assurance, that they were both healthy and agile.' In short,

they were very much like the women of many other places, especially those of Spain, whom our youthful traveller omits no occasion of admiring and celebrating, and, we should say, with some excess of enthusiasm, without, however, intending any offence to the Spanish women, who, as well as those of Rousillon, are, we have no doubt, 'most fascinating creatures.'

After being warned over night by an old stationary French captain, at the same inn, of the necessity of being robbed and assassinated in Spain, he finds himself, before daylight in the morning, rattling over the drawbridge of Perpignan, occupying a part of one of the three compartments of that ample portable structure, a French diligence, drawn by two wheel-horses and three leaders abreast, all managed by a postilion who rides the left wheel-horse, a part of his person being inserted into an immense pair of jackboots, and the rest fantastically dressed. But the equipage was not committed wholly to the skill and discretion of this cavalier, who, with the machine and appurtenances, was under the guidance of the director, whose place, prescribed by law, is the round top, or *impérial*, a circular apartment on the top of the diligence, whence he directs its movement, and superintends its management, but from which he had, in the present instance, descended to occupy the cabriolet in front, answering in some degree to the seat of our stage-drivers, where he sat in a sealskin cap, sundry fur jackets, with a red comforter round his neck, contemplating at his leisure the management of the postilion and the progress of the engine. The dawn disclosed his room-mates to be a French captain going to join his regiment at Barcelona, and the wife of a sub-lieutenant going to join her husband, who was at Figueras in the same service, both belonging to the French army of occupation. The parties, thus brought into so near an intimacy, and a part of them for the first time, did not reconnoitre each other with an indifferent or repulsive silence, but seized the first opportunity of some act of politeness, and seemed to be mutually solicitous of making some little sacrifice, each of his own comfort, in behalf of the others. 'The difference between the French,' says our traveller, 'and most other nations, and the secret of their enjoying themselves in almost every situation, is, that they endeavor to content themselves with the present, and draw from it whatever amusement it may be capable of affording. *Utiliser ses moments*, is a maxim which they not only utter frequently, but follow always.

They make the most of such society as chance may send them, are polite to persons whom they never expect to see again, and thus often begin, where duller spirits end, by gaining the good will of all who come near them.'

As seen from Perpignan, says our traveller, the Pyrenees had stood in rugged perspective, rising gradually from the Mediterranean, and bending westward where Mont Perdu reared its snowy head upward until it was lost in the heavens. There are three principal passes across these mountains, the southernmost of which was pursued by our travellers, which winds along towards the Mediterranean coast without ascending to a very great elevation. At Junquera, the first Spanish village, a strict scrutiny was made into the baggage for concealed goods, and more especially for prohibited books, a long list, including more especially the works of Voltaire, Rousseau, Marmontel, with all the modern metaphysicians and economists, about which the officers were the more inquisitive, as they had shortly before intercepted a Spanish translation of the 'Social Contract,' invading their territory under the title of the *Lives of the Saints;* which made our traveller apprehensive for a copy of the 'Henriade' in his baggage, for which, however, he conciliated the connivance of the officer by a small bribe, which the representative of the Spanish monarchy at that place, in regard to the article of revenue, hinted, would not be unacceptable to him. The traveller remarks upon the striking contrast in passing the barrier of the two nations. On the French side, the custom-house officers are snugly sheltered; *gendarmes*, well accoutred and well mounted, patrol the country in pursuit of robbers, and for the protection of the inhabitants in their avocations; and all those employed about the custom-house are remarkable for the cleanliness and uniformity of their dress. On the Spanish side, miserable looking *aduaneros* crawl forth with paper cigars in their mouths, in old cocked hats of oiled cloth and tattered cloaks, from ruinous mud hovels. Every man carries a gun for the protection of his person and property.

Descending on the Spanish side, the scene gradually softens, and the valleys are covered with wheat, vines, and olives, and the hills fringed with cork trees.

'This useful production is known in Spain by the name of *alcornoque*. It is a species of the *encina*, which, though of very different appearance from our oak, furnishes a wood of the same

grain, and produces acorns, which are not so bitter as ours, and which, as an article of food, the poorer classes do not always abandon to the hogs. Thus we are told, that Sancho was a great lover of *bellotas*. The cork tree grows to the height of our apple tree, and spreads its branches much in the same manner; but the trunk is of much greater dimensions, and the foliage of a more gloomy hue. Its trunk and branches are covered with a thick ragged bark, which would seem to indicate disease. The trunk alone, however, furnishes a bark of sufficient thickness to be of use in the arts. It is first stripped away in the month of July, when the tree is fifteen years old; but is then of no use, except to burn, and is only removed for the sake of producing a stouter growth. In the course of six or eight years, the inner bark has grown into a cork of marketable quality, and continues to yield, at similar intervals, for more than a century.' p. 17.

Passing through Figueras, remarkable for the strength of its fortifications, and Gerona, no less remarkble, according to the author, as the scene of one of the labors of Hercules, on the way to Tordera, the diligence crossed several streams without bridges; they came to one, down the banks of which the postilion drove with the greatest speed to which he could provoke his team.

'When, in the middle, however,' says the author, 'we were near stopping; for the river, which was much swollen, entered at the bottom of the diligence, washing through the wheels, and striking against the flanks of our horses, until it rendered them powerless, and had well nigh driven them from their legs. They were for a moment at a stand; but the whip and the voice of the postilion encouraged them to greater exertion, and, after much struggling, they succeeded in dragging the coach over the stones at the bottom of the torrent, and in bringing it safely to land.

'We were not alone in this little embarrassment; for there was a party of about a hundred Frenchmen crossing the stream at the same time. They were going to join a regiment at Barcelona, and with the exception of a few *vieux moustaches* among the non-commissioned officers, who did not need their stripes of service to proclaim them veterans, they were all conscripts, as any one who had seen Vernet's inimitable sketches would readily have conjectured. It happened that there was a small foot-bridge, only one plank in width, which stood on upright posts driven into the bottom of the stream. The water was now nearly even with the top, and in some places flowed over. This, however, afforded a more agreeable way of crossing, than wading the river with water to the arm-pits. The commander of the party had already passed, and stood, buttoned in his *capot* and with folded arms, upon an

eminence beyond the stream, watching the motions of his followers. Those of the soldiers who had already crossed, stood upon the bank, laughing and hallooing at the unsteady steps of the conscripts, as they came faltering over with caps and coats fitting them like sacks, and their muskets held out before them to assist in maintaining a balance. Though many tottered, only two or three fell, and these came to land well drenched, to the infinite amusement of their comrades. Last came a young sub-lieutenant, evidently on his first campaign, tripping along the plank with the airy step of a *muscadin*. Unfortunately, just as he had cleared two thirds of the bridge, and was quickening his pace with an air of great self-complacency, a flaw of wind, rushing down the ravine, caught the skirts of his oil-cloth coat, and throwing him out of the perpendicular, he fell full length, like a thresher fish, upon the water. The soldiers respected the feelings of their officer and repressed their mirth; they rushed into the stream, each with exclamations of anxiety for *mon lieutenant*, and soon drew him to land dripping with the water, from which his patent cloak had not availed to protect him.' pp. 18, 19.

The author gives a very lively description of the Catalans he met with at Tordera, whose dress seems to be sufficiently striking and singular.

'The men were of large stature, perfectly well made and very muscular; but there seemed something sinister in their appearance, partly produced by the length and shagginess of their hair and the exaggerated cast of their countenances; partly, by the graceless character of their costume. It consisted of a short jacket and waistcoat of green or black velvet, scarce descending half way down the ribs, and studded thickly with silver buttons, at the breasts, lapels, and sleeves; the trowsers of the same material, or of nankeen, being long, full, and reaching from the ground to the arm-pits. Instead of shoes, they wore a hempen or straw sandal, which had a small place to admit and protect the toes, and a brace behind with cords, by means of which it was bound tightly to the instep. Their dark-tanned and sinewy feet seemed strangers to the embarrassment of a stocking, whilst their loins were girt with a sash of red silk or woollen. This article of dress, unknown among us, is universally worn by the working classes in Spain, who say, that it keeps the back warm, sustains the loins, and prevents lumbago; in short, that it does them a great deal of good, and that they would be undone without it. Most of the young men had embroidered ruffles, and collars tied by narrow sashes of red or yellow silk; some displayed within their waistcoat a pair of flashy suspenders of green silk, embroidered with red, and adjusted by means of studs and buckles of silver. The

most remarkable article, however, of this singular dress, and by no means the most graceful, was a long cap of red woollen, which fell over behind the head, and hung a long way down the back, giving the wearer the look of a cut-throat. Whether from the association of the *bonnet rouge*, or some other prejudice, or from its own intrinsic ugliness, I was not able, during my short stay in Catalonia, to overcome my repugnance to this detestable head-gear.

'As for the women, some of them were dressed in a gala suit of white, with silk slippers covered with spangles; but more wore a plain black frock, trimmed with velvet of the same color. They were generally bare-headed, just as they had come from their dwellings; a few, returning perhaps from mass, had fans in their hands, and on their heads the *mantilla*. The Spanish *mantilla* is often made entirely of lace, but more commonly of black silk, edged with the more costly material. It is fastened above the comb, and pinned to the hair, thence descending to cover the neck and shoulders, and ending in two embroidered points which depend in front. These are not confined, but left to float about loosely; so that, with the ever-moving fan, they give full employment to the hands of the lady, whose unwearied endeavor to conceal her neck furnishes a perpetual proof of her modesty. Though in former times the female foot was doomed in Spain to scrupulous concealment, to display it is now no longer a proof of indecency. The frock had been much shortened among these fair Catalans, each of whom exhibited a well-turned ancle, terminated in a round, little foot, neatly shrouded in a thread stocking, with a red, a green, or a black slipper. They were, besides, of graceful height and figure, with the glow of health deep upon their cheeks, and eyes that spoke a burning soul within. There was much of the grace, and ease, and fascination of the *Provençale*, with a glow and luxuriance enkindled by a hotter sun.' pp. 19, 20.

The author gives a good sketch of the scene presenting itself on his coming in prospect of the Mediterranean, soon after leaving Tordera, and describes the journey as very pleasant along the coast, where the route often passes through neat-looking villages of two rows of houses, mostly of one story, with plastered and whitewashed walls, and roofs covered with red tiles. They arrived at Barcelona on Sunday evening before sunset, and entered the capital of Catalonia with the concourse of the inhabitants and French officers and soldiers, making altogether a very variegated, fantastical group, who had been out to recreate themselves in the promenades and fields, and were hastening to enter the town before the gates should be closed

for the night. Here the French captain, who had been a fellow traveller with the author from Perpignan, had reached the rendezvous of his regiment, but they did not separate for their respective lodgings without exchanging addresses, as a pledge of further acquaintance; and, though we are afraid of too early exhausting the capacity of our article for quotations, we cannot withhold from our readers the very descriptive and animated picture of this survivor of the Russian campaign. Besides, the sketch is a good specimen of the life led by the officers of an army of occupation. Our traveller and a young Frenchman, with whom he had made acquaintance in the diligence, had no sooner settled their lodgings at the *Fonda of the Four Nations*, than they sallied out to find those of the captain, whom they at length discovered in a little room overlooking one of the narrowest streets of Barcelona.

'As we entered, he was sitting thoughtfully on his bed, with a folded paper in his hand, one foot on the ground, the other swinging. A table, upon which were a few books, and a solitary chair, formed the only furniture of the apartment; while a *schaiko*, which hung from the wall by its nailed throat-lash, a sword, a pair of foils and masks, an ample cloak of blue, and a small portmanteau, containing linen and uniform, constituted the whole travelling equipage and movable estate of this marching officer. We accommodated ourselves, without admitting apologies, on the bed and the chair, and our host set about the task of entertaining us, which none can do better than a Frenchman. He had just got a letter from a widow lady, whose acquaintance he had cultivated when last in Barcelona, and was musing upon the answer. Indeed, his amatory correspondence seemed very extensive; for he took one billet which he had prepared from the cuff of his capot, and a second from the fold of his bonnet, and read them to us. They were full of extravagant stuff, rather remarkable for warmth than delicacy, instead of a signature at the bottom, had a heart transfixed with an arrow, and were done up in the shape of a cocked hat. As for the widow, he did not know where to find words sweet enough for her; and protested that he had half a mind to send her the remaining one of a pair of mustaches, which he had taken from his lip after the campaign of Russia, and which he presently produced, of enormous length, from a volume of tactics.

'When we were about to depart, our captain said that he was going to the *caserne* of his regiment, to assist in an assault of arms which was to be given by the officers, and asked us to go with him. The scene of the assault was a basement room. The pave-

ment of pounded mortar was covered with plank, to make it more pleasant to the feet. We found a couple already fencing, and our companion soon stripped to prepare for the encounter. It was singular to see the simplicity of his dress. When he removed his boots to put on the sandal, his feet were without stockings, and under his close-buttoned capot there was no waistcoat, nothing to cover his shaggy breast, but a coarse linen shirt without a collar; for the French officers wear nothing about the neck beside a stock of black velvet edged with white. Having taken off the sword-belt which hung from his shoulder, and bound his suspenders round his loins, he rolled his sleeves up, chose a mask and foil, and was ready to step into the arena. It appeared that our captain was master of his weapon, from the difficulty in finding him an antagonist. This, however, was at length removed, by the stepping forth of a close-built little *sabreur*. It was a fine display of manly grace, to see the opening salutations of courtesy, and the fierce contest that ensued, as they alternately attacked and defended, winding themselves within the guard of each other with the stealth and quickness of the serpent, and glaring from within their masks with eyes of fire. The buttons of their foils were not covered with leather, as is usual among more moderate fencers, lest the motion of the points should be embarrassed. Hence the rough edges, as they grazed the arm or struck full upon the breast, brought blood in several places. This same weapon, the foil, is generally used by the French military in duels, with the single preparation of cutting off the button. When the assault was concluded, the antagonists removed their masks and shook hands, as is the custom, in order to remove any irritation that might have occurred during the contest. Then commenced a brisk and earnest conversation upon the performance, furnishing matter for many compliments and never-ending discussion. During a year's residence in France, I had never before met with any one who had taken part in the campaign of Russia; as I now looked, however, upon the muscular arms of the captain and his iron conformation, I was not surprised that he had been of the few who had gone through the horrors of that disastrous expedition.' pp. 23, 24.

Our traveller's room at the inn overlooked a field encumbered with the ruins of a convent of Capuchins, which had been demolished during the troubles of the Peninsula. The site had been sold under the constitution; and the purchasers were already collecting materials to build, when church and state, and the French army under the Duke of Angoulême, dispossessed them of their purchase; and the Capuchins, now returning one after another, like bees hovering about their de-

molished hive, had laid hands upon the materials collected by the dispossessed purchasers, and were moving to and fro in their long beards, dingy gray dresses, and rope girdles, directing some twenty or thirty workmen in laying anew the foundations of their cloisters. In describing the various groups making up the passing and repassing throng in the *Rambla*, or public walk, in front of the inn, the writer particularly distinguishes the clergy, who very naturally occupy much of his attention, as well as that of every other traveller in this singular country. But this easterly corner of the Peninsula seems to be peculiarly blessed with this consecrated part of Spanish society, the number of priests, and 'friars, black, white, and gray,' being, as he says, two per cent. of the whole population of Catalonia. One person, out of fifty inhabitants, is equivalent to one out of every twelve and a half of the able-bodied male population, a proportion which would be altogether incredible, if these devout persons were all wholly incumbents, one to every eleven, on the industry of their lay neighbors. The truth is, however, that many of them, in a great measure, support themselves by laboring with their own hands in their gardens. But after making all possible allowances in their favor, this ecclesiastical incubus weighs sorely enough upon the energies, both moral and physical, of the Spanish nation.

The author gives a very pleasing account of this city, the third in Spain, being next in population to Valencia and Madrid; the sketch of its history is well drawn, and not too long; the passages, which he commemorates, are all striking,—its foundation by the Carthaginian, Hamilcar, the father of Hannibal,—the Roman town, the arches and pillars of which are incorporated with the present buildings of the oldest part of the city,—the pompous spectacle exhibited in the public square, or *plaza*, where Ferdinand, in presence of his courtiers, received from Columbus the tribute of the first-fruits of the New World, —and the first experiment of steam navigation made in 1543, with an engine invented by Blasco de Garay. But we pass over the description of the city and its environs, to give an account of the *noria*, a simple machine used for raising water from the wells, for the purpose of irrigating the fields, to which they owe their fertility. We wish to attract the attention of our cultivators to the subject of irrigation, for which a great many parts of our country afford so great facilities, not hitherto applied to any practical advantage.

'The *noria* consists of a vertical wheel placed over a well, and having a band of robes passing round it, to which earthen jars are affixed. These jars, set in motion by the turning of the wheel, descend empty on one side, pass through the water in the well below, and having small holes in the bottom for the air to escape, fill easily, before they ascend on the opposite side. A little water leaks from the air-holes during the ascent, and falls from jar to jar. When arrived at the top, the water is emptied into a trough leading to a reservoir, so placed as to overlook every part of the field which it is intended to irrigate. Connected with the reservoir is a basin for washing clothes. As for the vertical wheel which immediately raises the water, it receives its motion from a horizontal one, turned by a horse, cow, mule, or more commonly an ass. There is something primitive in this rude machine, that carries one back to scripture scenes and oriental simplicity. Often have I sat by the road-side for an hour together, watching the economy of these little farms, such as one may see in the environs of Barcelona. While the laborer was digging among his lettuces, that old-fashioned animal, the ass, performed unbidden his solemn revolutions; the wheel turned, and the ropes of grass brought up the jars and emptied them of their burthen, while at the neighboring reservoir a dark-haired and dark-eyed damsel would be upon her knees beside the basin, her petticoats tucked snugly around her, and as she rubbed the linen with her hand, or beat it against the curbstone, singing some wild, outlandish air, like anything but the music of Europe.—Much labor is doubtless lost by the rude construction of the *noria;* but the system of irrigation, with which it is connected, is an excellent one, and is the means of fertilizing lands which must otherwise have remained uncultivated.' p. 28.

After passing the Ebro at the ferry near its mouth, and arriving at Amposta on its western bank, the traveller is struck with the entire change of personal appearance, physiognomy, and costume of the inhabitants. Though he is still in the province, or kingdom, of Catalonia, still he seems here to meet with the manners and race of the neighboring kingdom of Valencia, that stretches along the coast of the Mediterranean some two hundred miles in a southwesterly direction; the capital of which, the second city of Spain in population, is the next destination of the traveller. Instead of the long pantaloons of the Catalans, reaching from their shoulders to the ground, these Valencians wear short linen small-clothes, *bragas*, which tie over the hips with a drawing-string, and, like the Highland kilt, terminate above the knee. But the long, hanging, point-

ed, red woollen cap is common to both districts. The leg is either bare or covered with a footless stocking or a sort of leathern gaiters. Instead of the velvet jacket and silver buttons of the Catalan, the Valencian wears a sort of sack-formed garment over his shoulders, which serves both as a bag and a garment. In this he carries the seed-corn in sowing or planting in the fields. At this little town of Amposta, on the bank of the Ebro, the writer fills his journal with a group of card-players before the entrance of the court-yard of the inn, sitting with their bare legs crossed, very intent upon their game; and the motley collection of boxes, straw panniers, fodder for the mules, and supper for the guests in the dining-room of the inn. He remarks that pork is one of the ingredients in almost every dish, the frequent use of which by the Spaniards grew out of the persecutions of the Jews, when the eating of this meat was a practical profession of faith, and proof of orthodoxy.

As this part of the tour, from the Ebro to Valencia, affords the author an opportunity of treating his readers to a robbery, we ought to give some little account of his companions, by way of introduction to this incident. They consisted of a Valencian shopkeeper, dressed in as many colors as a harlequin, but affable and good-natured withal; his wife, a little *en bon point*, as is usual with Spanish married ladies; with their pretty daughter of fifteen; a company of Valencian students, dressed in black, as usual in Spain, without even the relief of a white collar; and a friar. Our traveller is as much troubled with the rapacity of his young companions at this Amposta inn, as Captain Hall was with that of his fellow-guests at the inns in the United States, and the author admits, that the magnificent apartments and luxurious tables of a North River steamboat afford a scene of equal vivacity of appetite. These black, little Catalan collegians incontinently plunged into the first dishes with a very keen alacrity, to the inconvenience of their fellow-feasters, who were for a time obliged to be content with what the intrepid youths spared of each dish. But after assuaging their ardor by repeated assaults upon the garlic-flavored viands, they began to offer to others the dishes of which they had partaken, and at length to help others before serving themselves. Their politeness was more particularly directed to the fair *Valenciana;* and when the desert came, each one of them who sat near, after paring an apple, offered her a portion of it on

the end of a knife, which she always accepted, eating either the whole or a part, as if obliged so to do by usage. And the young men accompanied these civilities with sundry gallant speeches, all which seemed to be a great violation of propriety to our young traveller, who was fresh from the modest reserve of French damsels; but not so to the parents, who felt quite secure while their daughter was in their sight; nor to the young lady herself, who received the civilities in good part, and occasionally replied to the compliments of her new acquaintances with a sprightly freedom.

The diligence started at two o'clock in the morning; and while it was winding about the hills, and ascending and descending the declivities along the coast, on its way to Valencia, the conductor *(mayoral)* being comfortably rolled up in his box asleep, having left his team to his postilion, José or Pepe, whom he affectionately called Pepito, an interesting, sprightly boy; and while our traveller, who, together with his companions, had fallen into a slumber, was just dreaming of being on the last stage of his journey towards his home, the coach was suddenly stopped, and the momentum of his body, acquired from its velocity, threw him against the forward pannel, and effectually dispersed his dreams.

'There were voices without, speaking in accents of violence, and whose idiom was not of my country. I now raised myself erect on my seat, rubbed my eyes, and directed them out of the windows.

'By the light of a lantern that blazed from the top of the diligence I could discover that this part of the road was skirted by olive trees; and that the mules having come in contact with some obstacle to their progress, had been curtailed of their open column, and brought together into a close huddle, where they stood as if afraid to move, with pricked ears and frightened, gazing upon each other in dumb wonder at the unaccustomed interruption. A single glance to the right hand gave a clue to unravel the mystery. Just beside the fore wheel of the diligence stood a man dressed in that wild garb of Valencia which I had seen for the first time in Amposta. His red cap was drawn closely over his forehead, reaching far down the back, and his striped *manta*, instead of being rolled round him, hung unembarrassed from one shoulder. Whilst his left leg was thrown forward in preparation, a musket was levelled in his hands, along the barrel of which his eye glared so fiercely upon the visage of the conductor, then in contact with the end of it, that it seemed to reflect the light of

the lantern. On the other side the scene was somewhat different. Pepe being awake when the interruption took place, was at once sensible of its nature. He had abandoned the reins, and jumped from his seat to the road-side, intending to escape among the trees. Unhappy youth, that he should not have accomplished his purpose! He was met by the muzzle of a musket ere he had scarce touched the ground, and a third ruffian appearing at the same moment from the treacherous concealment of the tree towards which he started, he was effectually taken and brought round into the road, where he was made to stretch himself out upon his face, as had already been done with the conductor.

'I could now distinctly hear one of these robbers—for such they were—inquire in Spanish of the *mayoral* as to the number of passengers he had brought; if any were armed; whether there was any money in the diligence; and then, as a conclusion to the interrogatory, demanding "*La bolsa!*" in a more angry tone. The poor fellow did as he was told; he raised himself high enough to draw a large leathern purse from an inner pocket, and, stretching his hand upward to deliver it, he said, "*Toma usted caballero, pero no me quita usted la vida!*" or, "Take it, sir, but leave my life!" Such, however, did not seem to be his intention. He went to the road-side, and bringing a stone from a large heap which had been collected to be broken and thrown on the road, he fell to beating the *mayoral* upon the head with it. The unhappy man when thus assailed, sent forth the most piteous cries for *misericordia* and *piedad;* he invoked the interposition of *Jesu Christo, Santiago Apostol y Martir, La Virgen del Pilar,* and all those sainted names, which, being accustomed himself to hear pronounced with awful reverence, were most likely to prove efficacious in arresting the fury of his assassin. But he might as well have asked pity of the stone that smote him as of the wretch to whose fell fury it had furnished a weapon. He struck and struck again, until becoming at length more earnest in the task he laid his musket beside him and worked with both hands upon his victim. The cries for pity which blows at first excited, blows at length quelled. They had gradually increased with the suffering to the most terrible shrieks, and when this became too strong to bear, it worked its own cure. The shrieks declined into low and inarticulate moans, which, with a deep drawn and agonized gasp for breath and an occasional convulsion, alone remained to show that the vital principle had not yet departed.

'It fared no better, nay even worse with Pepe, though instead of the cries for pity which had availed the *mayoral* so little, he uttered nothing but low moans that died away in the dust beneath him. One might have thought that the youthful appearance of the lad would have ensured him compassion. But the case was different.

The robbers were doubtless of Amposta, and being acquainted with him, dreaded recognition; so that what in almost any situation in the world would have formed a claim to kindness was here an occasion of cruelty. When both the victims had been rendered insensible, there was a short pause, and a consultation followed in a low tone between the ruffians; and then they proceeded to execute the further plans which had been concerted between them. The first went round to the left side of the diligence, and having unhooked the iron shoe and placed it under the wheel as an additional security against escape, he opened the door of the interior, and, mounting on the steps, I could hear him distinctly uttering a terrible threat in Spanish, and demanding an ounce of gold from each of the passengers. This was answered by an expostulation from the Valencian store-keeper, who said that they had not so much money, but what they had would be given willingly. There was then a jingling of purses, some pieces dropping on the floor in the hurry and agitation of the moment. Having remained a moment in the door of the interior, he did not come to the *cabriolet*, but passed at once to the rotunda. Here he used great caution, doubtless from having seen the evening before at Amposta that it contained no women, but six young students who were all stout fellows. They were made to come down one by one from their strong hold, deliver their money and watches, and then lie down flat upon their faces in the road.

'Meanwhile, the second robber, after consulting with his companion, had returned to the spot where the *zagal* Pepe lay rolling from side to side. As he went towards him he drew a knife from the folds of his sash, and having opened it he placed one of his naked legs on either side of his victim. Pushing aside the jacket of the youth, he bent forward and dealt him many blows, moving over every part of the body as if anxious to leave none unsaluted. The young priest, my companion, shrunk back into his corner, and hid his face within his shivering fingers; but my own eyes seemed spell-bound, for I could not withdraw them from the cruel spectacle, and my ears were more sensible than ever. Though the windows at the front and sides were still closed, I could distinctly hear each stroke of the murderous knife as it entered its victim; it was not a blunt sound as of a weapon that meets with positive resistance; but a hollow hissing noise as if the household implement, made to part the bread of peace, performed unwillingly its task of treachery. This moment was the unhappiest of my life; and it struck me at the time that if any situation could be more worthy of pity than to die the dog's death of poor Pepe, it was to be compelled to witness his fate without the power to raise an arm of interposition.

'Having completed the deed to his satisfaction, this cold-blooded

murderer came to the door of the *cabriolet*, and endeavored to open it. He shook it violently, calling to us to assist him; but it had chanced hitherto that we had always got out on the other side, and the young priest, who had never before been in a diligence, thought from the circumstance that there was but one door, and therefore answered the fellow that he must go to the other side. On the first arrival of these unwelcome visiters, I had taken a valuable watch which I wore, from my waistcoat pocket, and stowed it snugly in my boot; but when they fell to beating in the heads of our guides I bethought me that the few dollars I carried in my purse might not satisfy them, and replaced it again in readiness to be delivered at the shortest notice. These precautions were, however, unnecessary. The third ruffian, who had continued to make the circuit of the diligence with his musket in his hand, paused a moment in the road ahead of us, and having placed his head to the ground as if to listen, presently came and spoke in an under tone to his companions. The conference was but a short one. They stood a moment over the *mayoral* and struck his head with the butts of their muskets, whilst the fellow who had before used the knife returned to make a few farewell thrusts, and in another moment they had all disappeared from around us.

'In consequence of the darkness, which was only partly dispelled by the lantern which had enabled me to see what occurred so immediately before me, we were not at once sensible of the departure of the robbers, but continued near half an hour after their disappearance in the same situation in which they left us. The short breathing and chattering of teeth, lately so audible from within the interior, gradually subsided, and were succeeded by whispers of the females, and soon after by words pronounced in a louder tone; whilst our mutilated guides by groans and writhing gave evidence of returning animation. My companion and I slowly let down the windows beside us, and having looked round awhile we opened the door and descended. The door of the interior stood open as it had been left, and those within sat each in his place in anxious conversation. In the rear of the coach was a black heap on the ground, which I presently recognised for the six students who had occupied the rotunda, and who having been made to come down one by one, deliver their money and watches, and then stretch themselves out in the road upon their faces, made the oddest figure one can conceive, rolled up in their black cloaks, and with their cocked hats of the same solemn color, emerging at intervals from out the heap. As we came cautiously towards them, they whispered among each other, and then first one lifted his head to look at us, and then another, until finding that we were of the party they all rose at once like a cloud, notwithstanding the threat which the robbers made to them at their departure,

as we afterwards heard, to wait by the road-side and shoot down the first person who should offer to stir.' pp. 47–50.

In this distressed condition the party were obliged to remain, as they were, in the highway, until the *alcalde* of a neighboring village could be sent for. At length a fat little officer appeared, with a red cockade in token of his loyalty; and when he had very deliberately taken note of the transaction, and the two mangled conductors had been put into a cart to be carried back to Amposta, where they both died of their wounds, two of the patrolling guards, whose business it is to scour the country in pursuit of robbers, cut the rope, which had been stretched across the road and had so suddenly stopped the mules, and conducted the diligence on to San Carlos, the next village on their route. They proceeded on to Valencia without any other accident, passing on the way through Murviedro, a small town on the coast, some fifteen or twenty miles north from Valencia, on the site of the ancient Saguntum, which the author commemorates by giving a short account of Hannibal's siege. From Valencia the route still keeps the coast, *for*, but not *towards*, Madrid some fifty miles to the city of San Felipe, which is as far as Valencia from Madrid. At San Felipe, the road turns in a northwesterly direction for the capital of Spain, and after rising gradually until it has ascended to the height of two thousand feet, you come to the wide plain of New Castile, in which rises the branches of the river Guadiana, which discharges into the Atlantic on the southern boundary of Portugal. This plain the author represents at this season, early in November, as being sufficiently chill, dreary, and monotonous. Small decaying villages are scattered at great distances, between which are no habitations, as the danger of robbery prevents the inhabitants from dispersing their dwellings; and not a tree or shrub is to be seen in the wide unbroken prospect. This nakedness of the country is occasioned by a prejudice of the inhabitants, that trees, by giving shelter to birds, would only invite invaders to their scanty crops. According to the description given by the author, it seems a strip lying between the highlands and Mediterranean, along his route, is comparatively fertile, populous, and busy; but on ascending to the wide table-land, for almost the whole distance to Madrid, the signs of fertility and industry disappear.

And so our conductor brings us to Madrid, having met and being about to meet a thousand adventures, and noting a

thousand circumstances, characteristic of Spanish character, manners, and ways of life, which we cannot notice. Indeed we have not often travelled with a writer, who selected his objects and incidents better, prosed less, or described and narrated in a more graphic and lively style, or made more sensible and pertinent remarks. His journal at Madrid from the fifth or sixth of November, to the eleventh of April, including his excursions to Segovia and Toledo, is full of interest and information. Among the numerous passages which might be selected in this part of the work (for the difficulty is in choosing, not in finding), we take the account of Don Valentin with whom he took up his quarters for the winter, as throwing incidentally some light upon the government, the character of the king, and the state of things in Spain. He had already agreed with his instructer, an *impurificado*, that is, a person who had been in service under the constitution, and had not received that sort of acquittal granted, by certain associations of loyalists, to those who had not been flagrant patriots, and who would pay for this purification. This person was Don Diego, who had, under the constitution, been employed in the office of the secretary of state. Diego recommended to his pupil to take lodgings at Don Valentin's, of whom the following account is given.

'Don Valentin was a native of Logronio in the fertile canton of Rioja. He was by birth a *hidalgo*, or noble in the small way, after the manner of Don Quixote, and had been of some importance in his own town, of which he was one of the *regidores*. In the political ups and downs of his country, he had several times changed his residence and occupation; was by turns a dealer in cattle which he purchased in France or in the northern provinces of the Peninsula, to strengthen the stomachs of the combatants, who disputed for the possession of Spain; or else a cloth merchant, keeping his shop in the same house where he now lived, near the *Puerta del Sol*. His last occupation was interrupted, according to his own account, in a very singular way. Whilst he had been *regidor* in Logronio, the *Ayuntamiento* of the town became acquainted with the hiding-place in which some French troops, in retreating rapidly towards the frontier, had deposited a large quantity of plate and valuables, robbed from the royal palace. On the return of Ferdinand, the account of the buried plate reached his ears; and having likewise learned that there was a man in Madrid who knew where it had been concealed, he sent at once for Don Valentin, who was the person in question. When

informed by his majesty that he was required to conduct a party to the place of concealment, he was reluctant to comply. He urged the situation of his affairs. If his store continued open, it would be pillaged by the clerks, who are the most unprincipled fellows, except the *escribanos*, to be found in Spain; and if it were to be shut up, he would lose both present and future custom. Besides, the other *regidores*, his colleagues in the municipality, were yet alive and still resided at Logronio. He hoped, therefore, that his majesty would not send him from his affairs, for he was but a poor man, and had a wife and daughter. These excuses, however, were not satisfactory, and were set aside. Ferdinand promised to recompense all losses that Don Valentin might sustain by abandoning his trade, and to pay him well for the sacrifice; he ended by putting it upon his loyalty. Don Valentin was an Old Castilian; so he hesitated no longer, but sold out, shut his shop and went off to Rioja.

'Whether it was owing to the small number of persons who had been knowing to the secret, or to the sacredness with which the Spaniards regard everything which belongs to their religion and their king, the treasure was all found untouched in the place of its concealment. It was brought safely to Madrid, Don Valentin being at the expense of transportation. He now presents his various claims to government, for damages suffered by loss of trade, and for the expenses of the journey, including the subsistence of the foot soldiers, who had served as escort, which he had defrayed from his own purse. These claims were readily admitted, and an early day appointed for their liquidation. The day at length comes, but the money does not come with it. Don Valentin has an audience of the king; for no king can be more accessible than Ferdinand. He receives the royal word for the payment; for no king could be more compliant. He has many audiences, receives many promises, but no money. Meantime he lives upon hope, and the more substantial balance remaining from the sale of his stock. These were near failing together when the year 1820 brought some relief to the misfortunes of Spain. It likewise improved the condition of Don Valentin. Taking advantage of the publicity which was allowed in Spain by the new system, he establishes a reading-room, were all the daily papers of the capital and of the chief cities of Europe were regularly received. This went on very well, until the French, who never yet came to Spain on any good errand, overthrew the Constitution. The liberty of thought and speech fell with it. Don Valentin was invited to shut up his reading-room, and he once more retired to live upon his savings, amounting to some ten or twelve hundred dollars, which he had stowed away in a secret corner of his dwelling. This was taken out, piece by piece, to meet the necessities of his

family, until one day the house was entered by three robbers, who muzzled the old woman with a towel, tied her to the bedstead, and then carried off, not only the earnings of Don Valentin, but silver spoons and forks and everything of any value, to the very finery of Florencia. This last blow laid poor Don Valentin completely on his back. All that he now did was to take the *Diario* and *Gaceta*, which his wife let out to such curious people as came to read them in the common entry of their house. This furnished the trio, of which the family consisted, with their daily *puchero;* his daughter with silk stockings and satin shoes, to go to mass and walk of a feast-day upon the Prado, and himself with now and then his paper *cigarillo*.' pp. 90–92.

The author having established himself with Don Valentin, of whose family and domestic economy he gives a very distinct picture, he sallies out from his lodgings daily in pursuit of the lions of the metropolis. He remarks in regard to the situation of this city, that it is by far the most elevated capital in Europe, being two thousand feet above the ocean, and accordingly many times the height of most others, and twice that of Geneva, which is the next highest. This extraordinary height of the metropolis and whole neighboring district is one cause of the severity of the winter in this latitude. He states that in the winter of 1825–6, some of the sentinels of the royal palace were frozen to death in their boxes, though stationed but for half an hour, and though they were Swiss, who might be supposed to be more able to resist frost than the native inhabitants.

Madrid has fifty public fountains from which the water is carried to the houses by people who make it a business, and this is wholly in the hands of Gallicians and Asturians, who bear water about the city until they have made a small fortune of two or three hundred dollars, and then selling out the good will of their district or range to some successor, retire to their native country to pass the rest of their lives in a comfortable independence. Some of the water-bearers carry water about the streets, selling it by the glass-full to those who pass. They are represented as a rough set, little regardful of ordinary courtesy, who never turn from the narrow side-walk for any one. One day Don Diego, the instructer of our traveller, entered his room with his hat in his hand, endeavoring to rid it of a dint, and cursing the *Gallego* who had run against him at the turning of a corner. He had undertaken to lecture him, but the *Gallego* putting down his keg, and drawing himself up with

dignity, said to him, 'I am a noble, and you, may be, are no more.'

We were struck with the author's account of the figure made by the prompter at the Spanish theatres.

'He is always placed in a tin pulpit, which rises a few feet above the floor, and which is reached from below. The tin, being polished and kept bright, reflects the glare of the lights between which the pulpit is placed, and renders it a most conspicuous object. Hence the prompter reads the whole of the piece, which is afterwards repeated by the players. His book and hand usually project upon the boards, and are seen pointing from one to another of the actors, to indicate whose turn it is. His voice is always audible, and, occasionally in a pathetic part, his declamation becomes loud and impassioned, and he forgets where he is, until called back by the audience. Since the prompter precedes the actor, you frequently know in anticipation what the latter is to say, and the idea is conveyed by the ears before you see the action which is meant to accompany it. After a while the actor draws himself up in a mysterious way, to repeat to you a secret which is already in your possession. This is even more monstrous than the custom which prevailed in the infancy of the Greek drama, of having one man to speak and another to gesticulate.' p. 129.

Some of the public institutions of Madrid appear to be upon a very liberal, magnificent scale, particularly the royal library, consisting of two hundred thousand volumes offered freely to the use of all persons, with a commodious provision of chairs, tables, &c., thirteen persons in all being employed in attendance upon, and superintendence of the establishment. Liberal provision is also made for lectures and instruction in the arts, especially that of painting, in which the Spanish masters hold a very high rank; and the author finds among their works numerous pieces of which he speaks particularly, and for the most part, with great admiration.

Though the Spanish national spectacle of a bull-fight has been often described, we should copy the very animated account of one witnessed by the writer at Madrid had we not already quoted so largely.

Having gratified his curiosity at the capital, the author took his departure early in April for Cordova; and on this journey also, besides those incidents and novelties with which he has a happy talent of filling his journal, he has another opportunity of giving an account of a robbery, for the diligence had but just passed the site of the inn where Don Quixote watched

his armor and was dubbed knight errant, when it was stopped by the robber, Cacaruco, who with his companions proceeded to plunder the passengers, alleging in excuse that he had no other way of bringing up a large family with any decency. But his family was not long to enjoy the benefit of his industry, for the author learned, before leaving Spain, that he had been seized and executed.

In his account of Cordova, as well as in that of Seville, Cadiz, and of Gibraltar, where the journey ends, the author perhaps introduces historical recapitulations a little too copiously, which can be usually resorted to advantageously by a writer of travels, only for those striking events and incidents, which give a greater interest to living characters and present objects or places visited. As the journal proceeds, there is a little abatement of the freshness of coloring and individuality in the discription usually imparted to a traveller's style by the novelty of objects on first entering a country, and the distinct and strong impressions consequently made upon his own mind. From this cause, as might naturally be expected, from Cordova to the termination of the journey, the journal is less free, rapid, and vivacious than before. But it does not by any means sink into indifferent travels-making. We cannot but think that the historical epitome in the concluding part of the volume, might have been advantageously omitted, for the same reason that we should have preferred less of history in some of the preceding parts; and the pages in which the latitude, longitude, climate, fertility of soil, and other well known geographical and statistical facts, are given, add little to the value of the work, not because the author betrays want of talent or information in those abstracts, but because they are not what readers look for in a volume of this description.

Some parts of the division under the title of 'General view of Spain,' are among the best portions of the book. The sections upon the revenue, the army, the government, and the clergy, are full of interesting facts and just reflections; and the general view of the Spanish character bears marks of a mind of penetrating observation and good skill in generalizing. In this part of the book the author takes occasion, in a note, to pay a just tribute to the character and reputation of Mr Everett, our late minister to Spain, whom he found at Madrid.

We quote the sketch of Ferdinand the Seventh, whose administration of the government, the author, and justly no doubt,

attributes more to the clergy and the character of the great body of Spanish peasantry, than to any positive qualities and dispositions of his own.

'From these causes, then, and not from the sovereign will of a single individual, originate those persecuting decrees and apostolic denunciations, which have brought on Ferdinand the appellation of bloody bigot, and all the hard names in the calendar of abuse. There is much reason to believe, on the contrary, that he cares little for religion; and though by way of flattering the clergy and the nation, he may once have made a petticoat for the Virgin Mary, yet if the truth were known, he would doubtless be willing to do less for her than for any living *Manola* or *Andaluza*. The character of the present king is, indeed, little known in foreign countries, where, from the mere fact of his being called *El Rey Absoluto*, everything is supposed to emanate from his individual will. His character is not, in fact, so much a compound of vices, as made up of a few virtues and many weaknesses. He is ready to receive the meanest subject of his kingdom, and is said to be frank, good-humored, accessible, courteous, and kingly, in an unusual degree. He will listen attentively to those who appeal to him, appear convinced of the justice of what they ask, and promise compliance, without ever returning to think of the matter. Facility is his great foible, and yet is he occasionally subject to irritability and a disposition to be wrongheaded and have his own way, to the no small inconvenience of those who undertake to direct him. The faults of Ferdinand are partly natural, partly the effect of education. Instead of being trained up and nurtured with the care necessary to fit him for the high station to which he was born, his youth was not only neglected, but even purposely perverted.

'Godoy, whose views were of the most ambitious kind, took great pains to debase the character and understanding of Ferdinand. With this view, and partly perhaps to get rid of his own cast-off courtesans, he not only abandoned him without restraint to the ruling passion of his family, but even threw temptation in his way, well knowing the debasing effect of those early indulgences, which sap the moral and physical energies of youth. Thus a life of uninterrupted sensuality has deadened every manly and generous sentiment. The person of the king was noble and prepossessing in his youth, when he is said to have been the most graceful horseman of his kingdom. In 1808 he was the idol of every heart in the nation. Had he but proved worthy of this devoted loyalty, Spain would present us with a different spectacle. Even now, though his figure has been bent by long indulgence, and his features engraven with heaviness and sen-

suality, yet is his appearance still rather pleasing than otherwise. There is about him a look of blunt good humor and rough jollity, which gives a flat denial to the cruelty ascribed to him. He is said to have a leaning towards liberalism—weak, perhaps, in proportion to the inefficiency of his character, yet rendered probable by the fact, that he is now more detested by the ruling party, and acting under much more restraint, than in the most boisterous period of the Constitution.' pp. 380, 381.

After what we have said, it is hardly necessary to add, that, on the whole, we think very favorably of the work; and the extracts we have made, being tolerably fair specimens, will, we doubt not, be thought by our readers to justify this opinion, and recommend it more effectually to their attention, than any general praise we could bestow. The modest pretensions of the author would entitle him to a liberal indulgence, if the faults of his production required it; but, compared with its merits, they are few and trivial. Though he proposes his book as the production of a youth, there is nothing in it of juvenile, excepting, perhaps, the rather enthusiastic admiration, and frequent mention, of female charms. The opinions seem to be formed with deliberation, and the reflections, in general, bear the marks of a just thinking.

Art. IX.—*Titi Livii Patavini Historiarum Liber Primus et Selecta quædam Capita.* Curavit Notulisque instruxit Carolus Folsom, Academiæ Harvardianæ olim Bibliothecarius. Cantabrigiæ, Sumptibus Hilliard et Brown. 1829. 12mo. pp. 296.

This selection from the remains of the great Roman historian, is designed for the use of those students in our higher schools, colleges, and universities, who have surmounted the difficulties of grammatical construction in the Latin language, and who are prepared to enter on a course of reading, where the higher qualities of style, as well as the structure, sentiments, and general execution of a work, become objects of attention. For this purpose, we know not how a book could be better adapted, than that which we have now named. Livy has been reckoned, even from his own time, among the greatest masters of historical composition; and his copiousness, no-

bleness of expression, and splendid eloquence have called forth the loudest applauses of critics and commentators. If the selection of an author, in reference to the object in view, is unexceptionable, the manner, in which he is exhibited in this edition, deserves also our commendation. The first book, which is made up almost wholly of those great commonplaces which should be familiar to every scholar, is given entire. From the remaining books, to the end of the fourth decade, such parts have been extracted, as promise, from the events described, and from the manner of narration, to fix the attention, and deeply interest the feelings, of the student. That these extracts may have in no instance the character of mere fragments, the Epitomes of the books are published in their order; by a reference to which, the place in the history that each part occupies, and its relation to the whole, will be easily understood. This volume is likewise recommended by neatness and correctness, qualities so grateful to every scholar, and exhibits, in these respects, a striking contrast to the wretched guise, in which we find too many of the school-classics with which our book-market abounds.

In reading this volume, some suggestions occurred to our minds as to the use which should be made of it, and the *practical* purposes for which it is fitted; and it appeared to us, that a few remarks, bearing on these topics, might not be without their use. But what can be said now of an author, who has been before the world more than eighteen hundred years, and who has been examined, criticized, and weighed, in so great a variety of forms? Perhaps nothing; and yet, on the appearance of this work, some observations may be allowed, if recommended by brevity. We shall enter upon no discussion of the authenticity of the early history of Rome, of the diligence and faithfulness of its historians, and especially of Livy, in examining the monuments and early records of their country; or of their skill in weighing authorities, or of their impartiality in their final judgments. It will be suggested here, merely as deserving the consideration of the reader, whether due allowance has always been made, in deciding on the credibility of the Greek and Roman annalists, for the difference of manner during the early ages in transmitting a knowledge of events; and whether historical criticism, if not a distinct science among the ancients, may not still be recognised to no inconsiderable extent in their writings;—as common sense is the

same in all ages, and will often, where we little expected it beforehand, force its way and make itself heard, in spite of all obstacles. It may still further merit inquiry, whether, if opinions were to be formed of the diligence and accuracy of the moderns, their freedom from improper biases, and their willingness to allow to all their deserts, from the representations of the English historians of each other, and what they have, moreover, proved as well as asserted, even Livy has any great cause to dread a comparison. Our object is not so remote. We would rather consult the present convenience of our readers, their immediate interest, their practical advantage.

No one can read this volume, whatever he may have thought or heard of the popular eloquence of the Romans, without deeper impressions of its adaptedness to its object, its persuasiveness, its elegance, and its force. Time, which, in most subjects, detects so many errors of judgment and taste, has brought nothing to light here, which can offend the most correct, or shock the most fastidious. Let the addresses, orations, harangues, or whatever other name may best designate them, which are incorporated in the narrative of Livy, be brought to any proper standard, they will bear the trial; let them be weighed in any just balance, they will not be found wanting. Does the occasion require sound argumentation, or careful and exact reasoning? We find it. Is there opportunity for lively description, ardent and powerful appeals to feeling? or does the case in hand naturally awaken emotions of pity and sorrow, of resentment and indignation; or demand ridicule and sarcasm, censure and reproach? We meet them all, each in its proper place; and active must be the imagination of that reader, and quick his discernment in tracing the operations of the understanding and the workings of passion, who does not find himself disappointed at every turn, who is not often surprised by the unexpected pointedness and conclusiveness of the reasoning, the clearness of the statements, and the strength and pungency of the direct appeals to the auditors. Besides, there is a simplicity, a propriety, and an ease of transition from argument to argument, and from topic to topic, that leaves nothing to be wished.

This commendation may be thought high, perhaps extravagant; but we will proceed to a more particular examination. We turn, then, to the speech of Camillus to the commons of Rome, on the proposition to abandon the city, after it had been

taken and ravaged by the Gauls, and to remove to Veji. It will be recollected, that, on the conquest of this latter city, violent dissensions had arisen between the patricians and plebeians in consequence of a project for sending a colony to Veji, and of dividing the senate and people, so that half should remove to Veji and half remain at Rome; thus of the two cities making one commonwealth. It was urged that Veji had a large and fertile territory, that its situation was superior even to that of Rome, and that its edifices, both public and private, were more splendid and magnificent. The people, pressed forward by the tribune, Titus Sicinius, could hardly be resisted or pacified; and all the power and dignity of the senate were put in requisition to restore tranquillity. Quiet, indeed, followed; but the feelings of discontent and resentment, consequent on defeat, still rankled in the minds of the vanquished party. When Rome was in ashes, after being sacked and burnt by the Gauls, nothing could be more natural than the renewal of the former scheme; and what before seemed desirable, expedient, and highly advantageous, now assumed the form of a necessary and indispensable measure. The question was not now as to quitting their former habitations, for these no longer existed; the houses of Veji were ready to receive them; and they could avoid the trouble and labor of rebuilding the mansions in which they had before lived. What was in the first instance a passion, now became a phrensy.

To stem this strong current of popular feeling, required no common courage and adroitness. The commons were to be managed as well as driven, and Camillus showed himself equal to the occasion. This magistrate, he being now dictator, clothed with the favor secured by recent victory, and supported by the whole body of the senate, ascended the tribunal. In the state of feeling in which his audience then was, the speaker would have at once closed every avenue to conviction, by commencing his address with a direct argument on the case. The course he adopts is circuitous, bringing both the tribunes and the people to reflect on the violence of their proceedings, and thus conciliating their attention. He exhibits himself, not as the willing opponent of their measures, but as influenced in his conduct by the highest considerations of patriotism. The meaning of this introduction we will endeavor to express; the compactness and terseness of the language we should in vain attempt to emulate.

'Contentions with the tribunes, Romans, are so much my aversion and abhorrence, that, while a wretched exile at Ardea, I had still the consolation to reflect, that I was far removed from these quarrels; and I resolved never more to return to Rome, even should I be recalled by a decree of the senate and an order of your own body. Nor has any change of opinion induced me to again enter the city; but I yielded to the exigencies of the state. The existence of my country was the question at issue, not whether I should reinstate myself in my former situation; and I would now gladly be quiet, nor would I open my lips in your assembly, had not a contest arisen, involving the highest interests of the commonwealth. To be backward and wanting in effort on an occasion like this, while life remains, in others would be disgrace, in Camillus impiety and infamy. Why have we sought the rescue of the city? Why, when it was besieged by the enemy, have we freed it from their grasp, if, after it is recovered, we ourselves desert it? Even when the Gauls were victorious, and the whole city was in their power, the gods and the people of Rome still held possession of the citadel and Capitol; and shall we, now that we are conquerors in our turn, and the city is recovered, desert the citadel and capitol; and our success be followed by wider desolation than our defeat?' p. 130.

The dictator has evidently approached his subject with caution, but without fear; he has avoided unnecessary difficulties, but shunned no real danger; he has come to his point indirectly, but placed it distinctly in view. Having thus gained a hearing, he first dwells upon motives for remaining, drawn from the ceremonies of religion, and the superintendence of the gods over the affairs of Rome; considerations fitted, in the highest degree, to command the respectful attention of the assembly. He reminds them, that, in the events of past years, they would find, that prosperity or adversity had attended their efforts, according as they had been submissive or disobedient to the gods. He adduces as proofs, occurrences within their own recollection; and proceeds to state facts suited, more than all others, to influence the minds of a Roman audience. They inhabit a city, he declares to them, founded under the guidance of auspices and auguries; that every spot is occupied by the gods and religious rites; that, if their solemn religious sacrifices were assigned to particular days, the *places*, in which they were celebrated, were not less immovably fixed. 'How does this project of yours,' he adds, 'compare with the conduct of the excellent youth, Caius Fabius, who, during the late siege, was seen to descend from the citadel, and rush

through the darts of the enemy, exciting the admiration of the enemy no less than your own, and performed on the Quirinal hill an annual religious ceremony peculiar to his family?' After dwelling on the profaneness of the proposed scheme, and its necessary connexion with the violation of whatever was held sacred in Rome, and directly appealing to the principal deities presiding over the city, he comes to what was, no doubt, the chief argument of his opponents, and one which it required uncommon dexterity to shift off or resist. It had formerly been said, when the proposition to remove to Veji was discussed, that there was nothing to be gained by deserting their present habitations and taking others. Now their houses were in ashes, their city was demolished, Veji was open to receive them, and they could be relieved from the trouble and labor of erecting new buildings on the ruins of the old. Here was a wide field for popular excitement; and the factious tribunes were busy, and would make the most of so favorable a circumstance. The demagogues of the day must have been not a little confounded at the manner of the attack on their favorite position. The dictator shows himself as able in rhetorical, as in military manœuvring. He thus treats this part of the subject.

'But we hear it alleged, that the case itself obliges us to abandon a city laid waste and reduced to ashes, and to take refuge in Veji, where everything is entire, and not to harass the people, reduced as they are to poverty, by compelling them to rebuild their habitations. That this is mere pretence, that the clamor on this point is false and hollow, you would yourselves see, Romans, were I to be silent respecting it; you, who well remember, that when both the public and private edifices were safe, and the city was standing, this same scheme of removing to Veji was agitated. See, tribunes, the difference between my mode of viewing this subject and yours. You think, whatever objections to a removal existed at that time, none exist now. I think, on the contrary,—but do not be surprised, till you hear what I have to say,—that, although a change of residence had been expedient while the city was safe, now, that it is in ruins, to quit it is by no means allowable. The reason is plain. Our recent victory furnished, at that time, a plausible pretence of removing to a captured city, and glory might be anticipated for ourselves and our posterity; but now, a removal would be disgraceful, it would stain our honor, and the credit of the measure would redound to the Gauls. We shall not appear to have left our country as conquerors, but to have lost it, as the vanquished party. It will be

said, that the flight at Allia, the capture of the city and the siege of the Capitol, imposed on us the hard necessity of deserting our gods, and, by exile and flight, abandoning a place we could no longer defend. But have the Gauls been able to demolish Rome, and shall the Romans appear unable to rebuild it? Will you suffer these very Gauls to return with augmented forces (for we well know that their numbers are immense), and to fix their residence in this city, once taken by them, and now deserted by you? What if the Gauls should not do this, and your old enemies the Æqui or Volsci should establish themselves in Rome,—would you be content, that they should be Romans, and you Vejentians? Which would you prefer, that the city, though a desert, should be possessed by yourselves, or be inhabited by your enemies? A more impious and abominable act, than that proposed, I cannot conceive of. Are you prepared to submit to such criminality and disgrace, from disinclination to building? Even if we could erect throughout the whole city an edifice no better or larger than the cottage of our founder, would it not be preferable to dwell, like shepherds and rustics, in huts, while still amidst your temples and gods, than for the state to go into voluntary banishment?' p. 133.

He proceeds to urge other reasons for rebuilding the city, and dwells particularly on the favorable situation of Rome, its healthful hills, its convenient river, facilitating both internal and external commerce; and the various advantages which the city enjoyed for defence and increase; and closes in the following manner.

'Since such is the case, what reason can there be for hazarding a new experiment? You may, indeed, carry away with you your bravery, but the fortune of this spot admits of no transfer. Here is the Capitol, where, when a human head was formerly found, it was foretold, that this place should be the head of universal empire. Here, formerly, the gods, Juventas and Terminus, to the great joy of our ancestors, refused to be moved. Here are the fires of Vesta; here the shields sent down from heaven; here, if you stay, all the gods proffer their favor and protection.' p. 134.

In this harangue, everything is simple, unaffected, perspicuous, ardent, and forcible, and in the highest degree fitted, in reference to the assembly addressed, to convince and persuade. Nothing is introduced remote from the question at issue, nothing which would have even the least tendency to divert attention, nothing to offend, nothing unintelligible or without the ordinary range of thought of a Roman audience. The whole is so arranged, that the parts succeed each other in the closest connexion, every one arising naturally from what precedes it,

and by so easy a transition, that attention is more fixed, and curiosity and desire of learning what follows are constantly strengthened. Art, if it here exists, is no more than consummate judgment in selecting the best topics and assigning to each its proper place. Change the order of any one of the arguments, illustrations, direct addresses, or of the appeals to the gods, and the injury is manifest. Any considerable variation being supposed in the arrangement of the topics of this discourse, a new combination of circumstances, to render the whole appropriate, would be necessary.

We are aware, that it is said, that this speech is the production of the historian, and that Camillus had as little to do with its composition, as Livy must be supposed to have had in the preparation of that, if any such there was, which the dictator actually pronounced. This may be true; yet this circumstance, so far as our object is concerned, is of little consequence. We will admit, that it is possible, nay, probable, that the historian in giving an account of the dissensions at Rome, which arose out of the subject of rebuilding the city after its destruction by the Gauls, in stating the reasons for continuing in the ancient place in preference to removing to another, chose to incorporate them in a popular harangue; and to put this in the mouth of one who was chief in power and influence. All this may be allowed; though we have never seen grounds entirely to disbelieve, that in a commonwealth, where popular eloquence confessedly so much prevailed as in the Roman, and where it had so great and commanding an influence, and where records of certain kinds are known to have existed, some more particular notices of events, and even of many discourses on important occasions, were handed down to posterity, than modern critics are willing to allow, or than we have means of directly evincing. But however this may be, whether this speech was composed from authentic memorials of what Camillus actually said, the performance having received only its polish and coloring from the hand of the historian, or whether it is partly or wholly the production of Livy himself, the character of the performance is not altered. As a specimen of popular eloquence, the estimation in which it should be held, must depend upon its own merits, and not on the fact of authorship. One thing, however, must be allowed as certain, that such an address could not be composed, except in a free state, by one who had been trained in the school of popular discussion, and

who was well acquainted and familiar with the peculiar feelings, partialities, and sympathies of an assembly of Roman citizens. We are aware, that it has been the opinion of some historical critics, that the introduction of this speech into the account of the rebuilding of Rome, and the importance attributed to it, and to an omen observed soon after, connected with the circumstances of the story, throw an air of fable over the whole transaction; or, at least, render it extremely improbable. Such objections, however, have originated, for the most part, with those who have had little personal knowledge of popular governments and popular assemblies. That to persons born and educated amidst institutions in most respects unlike those of Rome in the early ages, especially to those who have been accustomed to see the government everything, and the people nothing, many events should appear incredible, which yet proceeded from the very constitution of society in the Roman republic, need occasion no surprise. Early associations, as all acknowledge, have a lasting, and oftentimes a controlling influence over the judgment. But nothing is more evident, from the uniform testimony of antiquity, than that in small states, such as Rome then was, the most important concerns were managed in general assemblies under the direction of opposing orators, and that measures, which, for the time, would seem to threaten the existence of the state, after the ferment of discussion was over, would soon cease to attract attention or be forgotten. Everything would then proceed in the ordinary course, till some new tempest was excited by a breeze from another quarter.

But, however this may be, and whatever opinion we may form of the genuineness of the speech of Camillus, there are two popular harangues in this volume, taken from the thirty-fourth book of Livy, concerning which very little doubt can exist, that we have them essentially as they were pronounced in the Roman Forum. These are the addresses of the Consul Marcus Porcius Cato, and Lucius Valerius the tribune, on the proposition to abrogate the Oppian law. Cato, who is better known as Cato the Censor, had a high reputation for eloquence in his time. He began the business of public speaking at a very early age, and managed causes in the Forum without compensation; which circumstance, no doubt, promoted the rise of his popularity. The number of his friends and admirers rapidly increased, and in consequence he was advanced to the highest honors of the state. He gained so great celebrity by

his pleadings, that he was called the Roman Demosthenes, and he awakened an ardent zeal, among the youth of Rome, for the study of eloquence. Nearly fifty times during his life, he was publicly impeached for misdemeanors; and so fortunate, or so able, was he in defending himself, that in every instance he was triumphantly acquitted. Cato was the farthest from being a recluse, or an orator who spoke according to the precepts of the schools, and not according to rules which he had himself verified in his intercourse with the world. He adhered to the practice of the early Romans, in cultivating the ground with his own hands. He prepared his dinner without fire, and his suppers were of the most frugal kind. His dress was plain and unexpensive; he drank the same wine as his slaves; and this mode of life he followed even after his consulship and the honors of a triumph. He early applied himself to agriculture, and made it his amusement in old age. While in the country, he always invited some of his neighbors to sup with him, entertained them with his conversation, which often turned on the praises of the old Romans; and no one knew better how to apply facts and anecdotes, or had a greater number at command. From the remains of his work on agriculture, it is manifest, that, on these occasions, he could discourse also largely on soils, crops, and manures, the management of cattle, and the best modes of preserving oil and wine; could furnish receipts to make cakes, puddings, or sausages, explain the virtues of cabbage, and prescribe for various diseases which flesh is heir to. This kind of intercourse with his country neighbors necessarily led him to become acquainted with their dispositions, their prejudices, and partialities. Nor was he conversant alone with persons in the humbler ranks of life. Though Cato was alarmed at the introduction of the Greek philosophy into Rome, and predicted that the Romans would lose the empire of the world when Grecian literature once became prevalent among them, and was active in procuring a decree of the senate by which the Greek philosophers were expelled from the city, yet he learned Greek in his old age, and became himself a proficient in that very learning, which he had so much feared, and endeavored to destroy. A man, who was at the same time a warrior and a philosopher, a husbandman and an orator, and distinguished in whatever engaged his attention, must have had unusual opportunities of studying the human character in every rank of life; and an oration from such an individual must deeply interest our curiosity.

That there is good reason to believe, that the oration ascribed to Cato by Livy really belongs to the Censor, with inconsiderable variations, appears from what is said by Cicero. This great Roman orator, in his account of those among his countrymen who had became illustrious by their eloquence, speaks particularly of Cato. He compares him to Lysias, and thinks there is a striking resemblance between the two orators, in their acuteness, their elegance, their sprightly humor, and their brevity. He says that he had seen and read more than one hundred and fifty orations, which then remained of Cato's, and that they possessed the highest rhetorical excellencies. He admits, that the language of the Censor is somewhat antiquated, and that it partakes of the harshness and inelegance of the age in which the orations were composed; but adds, that if it were modernized and should receive the improvement of a more artificial and harmonious arrangement of words, no one would be preferred to Cato. These orations must have been in the possession of Livy; and that which he inserted in his history, was probably one of them, corrected in its style, and fitted in the mode of expression and in the structure of sentences to the taste of the times. The sentiments, the mode of reasoning, the popular cast of the whole discourse, suited, as it is throughout, to the feelings, humors, and prejudices of an assembly of the Roman people, are clearly what might be expected from such a source. Like the other specimens of the popular eloquence of the Romans, furnished by the same historian, it is confined strictly to the subject in view; there are no long digressions; and the connexion of everything said with the main design, is at once perceived.

The occasion of pronouncing the speech in question was this. When the war with Hannibal was at its height, and soon after the battle of Cannæ, so fatal to the commonwealth, a law had been introduced by Caius Oppius, a tribune of the people, by which it was enacted, that no woman should use for ornament more than half an ounce of gold, or wear a dress of different colors, or within the city or any town, or nearer the city than one mile, should ride in a carriage drawn by horses, except for attendance on some religious celebration. In the five hundred and fifty-seventh year of Rome, a proposition was made to repeal this law, on the ground, that as the republic was in a state of great prosperity, the original cause of the law no longer existed. Two of the plebeian tribunes were op-

posed to the repeal, and supported the Oppian law with all their influence. Many of the nobles joined in the discussion, some for the law and others against it; and the Capitol was filled with crowds showing great ardor and zeal, but divided in their opinions. The women, who were determined not to be controlled by any common rules of decorum in a matter which so nearly concerned them, dispersed themselves through the streets of the city, thronged the avenues to the Forum, and besought the men, that in a time of so great public prosperity, this odious restriction on female ornaments might be removed. The throng of women was constantly on the increase, as their number was enlarged by arrivals from the neighboring villages. They proceeded so far as to make personal applications to the consuls, prætors, and other magistrates, and to conjure them to support their cause.

Cato was of course inexorable to their prayers. All his opinions and prejudices were in favor of the law. A man so temperate in his habits, so attached to the simple manners of the old Romans, and so hostile to luxury as the source of individual and national ruin, could not be supposed to look with patience on a measure, which so directly opposed all his notions of policy. The inroad which was threatened by this seditious movement of the women, on the ancient rigid domestic government of the Romans, must have excited his highest indignation. We accordingly see in his speech the stern and severe Roman, earnest and vehement, yet almost disdaining to discuss such a question in the ordinary way, and aiming to effect his object by insinuation, sarcasm, and strong expressions of contempt, as well as by argument. He begins his harangue in the following manner.

'If each of us, Romans, had supported the proper rank and authority of a husband in his own family, insisting, as he ought, on the obedience and respect of his wife, we should now have less trouble with the whole sex. But because the law is given us at home, and we are there the slaves of female insolence, our independence even in the Forum is contemned and trampled on; and because we have been individually vanquished, we actually stand aghast now we see our wives assembled in a body. I had hitherto supposed, that it was a mere tale, that, in a certain island, the whole race of males was cut off, root and branch, by a conspiracy of the women. Nothing can be more dangerous to either men or women, than to permit these secret assemblies, this caballing and intriguing. I am not confident, whether these

machinations themselves, or the precedent they establish, should be considered more mischievous in their tendency. This female mutiny, whether it is a spontaneous act of the sex, or brought about by your instigation, tribunes, certainly implies fault in the magistracy, and I know not, whether it is more disgraceful to the tribunes or to the consuls. The shame belongs to you, tribunes, if these women are brought here to aid your seditious purposes; to us, if we suffer laws to be imposed on us by a *secession* of the women, as was formerly done by a secession of the common people. It was not without a deep sense of shame, that I just now entered the Forum through a press of females.' p. 251.

We cannot give this speech entire. The determined spirit of the orator appears from the very exordium, and his consummate judgment in giving the discussion, at the onset, such a turn, as to excite in the minds of the hearers a contempt of his opponents. The insurrection of the women, under the lash of his tongue, savors of the ridiculous; and a preparation is obviously made to secure a favorable hearing to what should follow. The allusion to the former secession of the commons to the *Mons Sacer*, must have been to a Roman audience extremely sarcastic. The orator proceeds to insinuate, that something still more intrusive is aimed at, than the repeal of the Oppian law; reminds the assembly under what salutary restraints females were placed by the ancient institutions of the country; and gives the men to understand, that if once the women acquire an equality of rights, the superiority of the sex will follow as a necessary consequence. The introduction of luxury and avarice was the thing which Cato dreaded; and to guard against so great an evil, he strongly urged the continuance of the law as necessary. He says,

'You have often heard me, Romans, complaining of the profuse expenditures of the women, and also of the men, and not only of men in private life, but even of magistrates. I have told you, that the commonwealth was suffering from two opposite vices, avarice and luxury, plagues which have subverted the greatest empires. As the affairs of the republic are daily more flourishing, as we are enlarging our territories, as we have already passed over into Greece and Asia, which are opulent regions, abounding with the strongest temptations to indulgence, and as we are this moment handling the wealth of kings, I tremble, lest these treasures should gain a more entire mastery over us, than we over them. Believe me, Romans, the statues which have been brought into the city from Syracuse, threaten our ruin. I hear quite too

many expressing their praises and admiration of the ornaments of Corinth and Athens, and sneering at the earthen images of the gods placed before the temples of Rome. For my part I prefer these gods, so propitious to our interests, and who, I hope, will continue to be our patrons, as long as we suffer them to retain their stations.' p. 253.

The whole speech deserves attentive study, as containing an artful selection of topics, exhibited in a manner admirably suited to produce popular effect.

The consul, however, was defeated in his opposition. The repeal of the law was carried, and the speech of the tribune Lucius Valerius, in support of the measure, is hardly inferior to that of Cato. As there is no doubt of the genuineness of Cato's speech, there is reason likewise to believe, that the harangue ascribed to the tribune is the one actually pronounced by Valerius, it having been polished and modernized by the historian, as above mentioned. We can cite a single passage only in the introduction. As Cato had spoken so contemptuously of this movement of the women, styling it a mutiny and a *secession* of their body, it was important, at first, to remove any unfavorable impression made by this consular ridicule. The tribune begins with a compliment to Cato, and goes on to ask,—

'But what novelty is there in the conduct of the matrons, because in a question which so nearly concerns them, they have appeared in public? Have they never come out in a body before? I will refer you, Cato, to your own "Antiquities." Learn there, how often they have taken the same course, and always for the public good. And first, in the reign of Romulus, when the Capitol was taken by the Sabines, and a battle raged in the Forum, was not the contest hushed by the rushing in of the women between the two armies? And further, after the expulsion of the kings, and the legions of the Volsci had encamped near the city, did not the matrons avert a storm which threatened the existence of Rome? And when the city was captured by the Gauls, by whom was the ransom paid? Did not the matrons unanimously contribute their gold for the public benefit? The cases may be dissimilar, as you say; but they show that the women have now done nothing new. In exigencies, where the interests of both men and women were at stake, nobody wondered at their conduct. Why, then, should we be surprised at what they have done in a matter which so peculiarly concerns themselves?' pp. 254–255.

The whole of this speech is direct, vehement, and argumentative.

The speeches we have now referred to, as well as all others found in the same historian, and, indeed, in all the historians of antiquity, have throughout that appearance of reality, and that practical and business-like character, which strongly recommend them as patterns for imitation to the youth of our country. They afford examples of a happy union of plainness with elegance, of the utmost clearness and perspicuity, with great closeness and refinement of reasoning, and, what is no slight recommendation, a full and entirely satisfactory exhibition of a subject, with extreme brevity. It is seldom that a passage or a clause can be omitted without obvious injury to the sense, or that anything can be added, which improves the reasoning, or increases the effect which the speaker is aiming to produce. We know not, therefore, where a better foundation can be laid for proficiency in popular eloquence, than in the study of what has descended to us from antiquity, in this department of oratory. For any department of public speaking in modern times, important hints may be derived from the same source. The harangues in other historians have great excellences, particularly those in Thucydides, Sallust, and Tacitus, some of which are perfect in their kind; yet we know of none, which, on the whole, have a stronger claim to attention, than those which are contained in Livy. So manifest are the advantages of making these speeches a study, that we have no hesitation in saying, that whoever enters into their true character, and feels the spirit which pervades every part of them, has made a most important step, in a country like this, towards practical life. He is prepared to read the debates of modern legislative assemblies with additional profit, is better able to separate what is extraneous from what is essential in a discussion, and to unite in the most perfect manner conviction with persuasion, which should be the great object in all public speaking.

Livy has likewise been greatly admired for his descriptions. Whatever he delineates, is painted to the eye; and the effect produced by the works of the greatest artists, either in painting or statuary, must fall far short of that, which follows from the contemplation of one of the pictures of this writer, with no other coloring but that of language. No author ever understood better the selection and arrangement of circumstances, or the power of particular words and phrases, when made to occupy the right place, in affecting the feelings and the imagi-

nation. We are aware, that it has been often said, that the ancients, in their descriptions of great events, dwell too much upon the surface of things; that what they exhibit is graphic and fitted for the canvass, but fails to awaken the deeper emotions and to excite the stronger passions. We suspect there is some error in this view of the subject. They do not perhaps, so often as the moderns, exhibit an emotion of the mind separate from the causes which produce it; but joy or sorrow is seen to belong to individuals, and those individuals to be in circumstances appropriate to their state of feeling.

The several extracts in this volume may be considered what by artists are denominated *studies;* and all of them deserve to be perused not once, or cursorily, but often, and with close and assiduous attention. Let them be read till the language, the thoughts, and coloring are familiar, and no exhortation will be needed to induce the scholar to look after what else remains of the works of this historian. He will read all which time has spared us; nor will he pause without reluctance, till he has become intimately acquainted with all the great masters of ancient learning, whether of history, philosophy, eloquence, or poetry.

ART. X.—*A Poem delivered before the Porter Rhetorical Society, in the Theological Seminary, Andover; September* 22, 1829. By RICHARD H. DANA. Boston. Perkins & Marvin. 8vo. pp. 15.

BOTH the poetry and the prose of Mr Dana stand conspicuous for their beauty, amidst the various and growing, though still youthful, and rather crude literature of our country. He has gained the respect of that class of readers which he himself would most wish to attract, and he has risen above the censures of those who once altogether condemned him on account of his occasional peculiarities and waywardness of taste and style; so that he is now sure of a favorable and very general attention, whenever he sees fit to request it, which is not so often as we could desire.

If we should say that we were pleased with the poem now before us, we should express but weakly and unworthily the

feelings with which some of its passages inspired us; if we should say that we were satisfied with it, we should say too much consistently with the exceptions we have taken to what we have considered its faults. Its subject is, 'Thoughts on the Soul'; and these thoughts are principally limited to the consideration and illustration of the fact, that the soul transfers its features, and lends its complexion, to all external things. The subject is thus announced in the commencement of the poem.

> 'It is the Soul's prerogative, its fate,
> To change all outward things to its own state;
> If right itself, then, all without is well;
> If wrong, it makes of all around a hell.
> So multiplies the Soul its joy or pain,
> Gives out itself, itself takes back again.
> Transformed by thee, the world hath but one face.—
> Look there, my Soul! there thine own features trace!
> And all through time, and down eternity,
> Where'er thou goest, that face shall look on thee.' p. 3.

This idea, so poetical and so true, is explained and enforced with great power and beauty as the poem proceeds. There is an abruptness, however, in the manner of introducing some of the thoughts and illustrations, which is of serious injury to the connexion of the whole piece, causing partial obscurity, which it requires a second reading to remove. We seem to be presented with several detached fragments, having a general relation to each other, rather than with a succession of regular steps which lead us on from a beginning to an end. The pearls do not appear to be strung. Doubtless there is a connexion, but our complaint is, that it is not sufficiently distinct and manifest.

We could not help thinking, too, as we perused the poem, that some of its most delightful passages were hurt by feeble or colloquial turns of expression, which seemed to our taste to be quite foreign and adverse to the style and spirit and purpose of the position which they occupy. After saying this, we are bound to produce examples of what we mean. Near the commencement of the poem, the speaker asserts that it is in vain to think of discovering and counting all the emotions of the soul, when we find it impossible to master the knowledge of the external world. This position he thus proceeds to illustrate.

'Ocean and land, the living clouds that run
Above, or stand before the setting sun,
Taking and giving glory in his light,
Live in a change too subtile for thy sight.
The lot of human kind 's more varied still
By ceaseless acts of sense, and mind, and will.
Yet could'st thou count up all material things,
All outward difference each condition brings,
Perhaps thou'd'st say, "Good Sir, lo, here, the whole!"
—The whole?—One thing thou hast forgot—THE SOUL!'
p. 5.

Without presuming to make our own taste a standard for others, it strikes us that the two last lines are a blot on the rest of the paragraph. The little dialogue which is carried on, and the 'Good Sir,' which commences it so politely, sound to our ears very much out of tune with the grave and somewhat majestic music of the preceding lines. Another instance of the same kind of defect, as it appears to us to be, occurs in the next paragraph but one. In illustration of the main position, that the world without is a reflection of the world within us, the following comparison is introduced.

'Yes, man reduplicates himself. You see,
In yonder lake, reflected rock and tree.
Each leaf at rest, or quivering in the air,
Now rests, now stirs as if a breeze were there
Sweeping the crystal depths. How perfect all!
And see those slender top-boughs rise and fall;
The double strips of silvery sand unite
Above, below, each grain distinct and bright.
—Thou bird, that seek'st thy food upon that bough,
Peck not alone; that bird below, as thou,
Is busy after food, and happy, too.
—They 're gone! Both, pleased, away together flew.'
pp. 5, 6.

In our view, the beauty of the above comparison is marred, if not destroyed, by the abrupt change which is made from the style of description to that of address. The call upon the bird not to peck alone, sounds unnatural, forced, and ill timed. It also interrupts the continuity of the comparison, and leads our attention away from the subject which it was intended to illustrate. Our thoughts are diverted from the soul, and fixed upon that bird and its image in the water; and after we have been finally informed, in the narrative manner, to which the

poet returns, that both flew away, pleased, together, we are somewhat surprised at finding ourselves with the soul again in the next verse. In short, the whole comparison is made too prominent and too independent. Every reader must feel that it is.

But there is more than excellence enough in the poem to redeem greater defects than those we have noticed. And it is not merely poetical excellence; not merely harmony of numbers, just selection of words, and vividness of imagination; it is something better and brighter superadded to these; it is the excellence of truth, of purity, of moral elevation and moral purpose. The poet's thoughts on the soul are evidently the breathings of his own soul; and his words flow out warmly from his own heart. There is a serious and earnest individuality about Mr Dana's muse, which forbids the suspicion, that she can be playing a part, or that she is in any degree otherwise than what she seems. The love which she demands is respectful love, the homage which is rendered to the beauty of holiness.

We should be unjust to this poem, should we select no other portions from it than those which have already been given. There is a simple majesty, a gentle, persuasive authority in the following sentences, the effect of which is delightful, and so permanent, that it cannot be diminished by repetition.

> 'Come, listen to His voice who died to save
> Lost man, and raise him from his moral grave;
> From darkness showed a path of light to heaven;
> Cried, "Rise and walk; thy sins are all forgiven."

> 'Blest are the pure in heart. Would'st thou be blest?
> He'll cleanse thy spotted soul. Would'st thou find rest?
> Around thy toils and cares he'll breathe a calm,
> And to thy wounded spirit lay a balm,
> From fear draw love; and teach thee where to seek
> Lost strength and grandeur—with the bowed and meek.

> 'Come lowly; He will help thee. Lay aside
> That subtile, first of evils—human pride.
> Know God, and, so, thyself; and be afraid
> To call aught poor or low that He has made.
> Fear nought but sin; love all but sin; and learn
> How that in all things else thou may'st discern
> His forming, his creating power—how bind
> Earth, self, and brother to th' Eternal Mind.

'Linked with th' Immortal, immortality
Begins e'en here. For what is time to thee,
To whose cleared sight the night is turned to day,
And that but changing life, miscalled decay?' pp. 9, 10.

The next and the last passage that we shall quote, is truly eloquent. In it the writer puts forth his best power, and in it the moral application of the whole subject is finely announced. Nor can we refrain from expressing the opinion, that if the poem had ended with it, the effect would have been much better than with the present conclusion.

'Our sins our nobler faculties debase,
And make the earth a spiritual waste
Unto the Soul's dimmed eye;—'tis man, not earth—
'T is thou, poor, self-starved Soul, hast caused the dearth.
The earth is full of life; the living Hand
Touched it with life; and all its forms expand
With principles of being made to suit
Man's varied powers, and raise him from the brute.
And shall the earth of higher ends be full?—
Earth which thou tread'st!—and thy poor mind be dull?
Thou talk of life, with half thy soul asleep!
Thou "living dead man," let thy spirits leap
Forth to the day; and let the fresh air blow
Through thy soul's shut up mansion. Would'st thou know
Something of what is life, shake off this death;
Have thy soul feel the universal breath
With which all nature's quick! and learn to be
Sharer in all that thou dost touch or see.
Break from thy body's grasp, thy spirit's trance;
Give thy Soul air, thy faculties expanse;—
Love, joy,—e'en sorrow,—yield thyself to all!
They 'll make thy freedom, man, and not thy thrall.
Knock off the shackles which thy spirit bind
To dust and sense, and set at large thy mind!
Then move in sympathy with God's great whole;
And be, like man at first, "A LIVING SOUL!"' pp. 12, 13.

And now, to leave the discussion of excellences and defects, let us advert for a moment to the fact, that this poem and that of Mr Sprague are the two longest of any considerable merit, which have, for we know not how many years, been given to the American public. Mr Dana's consists of fifteen pages, and Mr Sprague's of thirty. It is true that the occasions on which they were pronounced, forbade their being much longer; but how is it, that limited as they are, of necessity,

they yet exceed in dimensions any others with which we have been treated for an age? For *lengthy* poems, that is, poems which are long and dull too, we disclaim any particular affection. If they must be dull, let them be as short as the authors can possibly afford to make them. Neither are we so extravagant as to call for anything, for some time to come, quite so long and so good as Paradise Lost. But why can we not have a poetical essay, tale, romance, tragedy, or comedy, to which we can sit down, of a winter's afternoon, before a comfortable fire, with the feeling that we hold something in our hands which is to interest and occupy us till bed-time, perchance enchain us beyond our sober bed-time, and find us burning the actual midnight oil? Are we, as Americans, to own no poem, Barlow's Columbiad excepted, which, being bound, can stand alone? Alas! that venerable production has stood alone too along. In solitude it waits for a companion. But we have nothing which can be married to that immortal verse. Oh, for a poem in ten books or cantos, or even in six! Seriously and truly, we are longing for poetry which we can sit down to, and be said to read. We want some of our poets to show us, that their pinions are vigorous and broad enough for a sustained flight. Have we none such; or is it that earthly necessities, and the present constitution of society with us, hold our strong ones down? We are disposed to think, that, unpropitious as these influences are, they might be in some measure overcome by a tithe of the patience and perseverance which English bards have erst exhibited in their upward toilings after immortality; and that even an American public would reward both with money and fame the devotion of a few years to the muse, and the temporary self-denial and privation which that devotion would cause. Look at the seven or eight editions which we have had of 'Pollok's Course of Time,' which surely is not a book of such excellence as to induce despair. The strain of its theology may indeed have been one principal source of its popularity, but its rapid sale is proof that we are not absolutely indisposed to buy long poems. We are very sure that an American poem, even if it were not of first-rate material, would be bought and read for its rarity's sake. We have had sonnets, madrigals, lines, stanzas, and all that sort of magazine and souvenir poetry in abundance. Much of it is very sweet, we confess, but we are beginning to be cloyed with it, and want something more substantial.

ART. XI.—*The American Almanac and Repository of Useful Knowledge for the Year* 1830. Boston. Gray & Bowen. 12mo. pp. 320.

THE Almanac is perhaps the most popular kind of periodical work, which is published; one which is most widely circulated, and most carefully studied. It is regarded in most families as an indispensable manual of certain kinds of information, and it is often the familiar companion of persons, who read few other books. The first book printed in America, next to the Freeman's Oath, was an Almanac; and from that date to the present time, probably more copies of the Almanac have been annually sold, than of any other publication. Notwithstanding the general interest felt in this description of work, it is one in which the great body of readers content themselves with a very moderate degree of merit, and a very small amount of real information. A record of the movements of the sun, moon, and tides, is almost the only information that is thought indispensable. It is obvious, that the same manual, which makes known to us the hour of the rising and setting of the heavenly luminaries, might at the same time afford a large amount of other information of daily utility.

In other countries the supply of this information has been successfully attempted, and in many parts of this, Almanacs have been for several years annually published, containing, in addition to the usual astronomical tables, an ample and very convenient collection of facts, relating chiefly to the state in which they are put forth. The information contained in these publications is too limited in its scope, and too local in its character, to answer the most important of the purposes to which this species of periodical work seems adapted. It admits of being made a record, not merely of atmospherical phenomena, of state and county officers, and municipal regulations, but of the statistics of every part of the world, of useful discoveries of every sort, and of important historical facts of every description. To be satisfied how extensive may be the scope of such a work, it is only necessary to cast an eye over the table of contents of the little volume now before us. We cannot better exhibit the objects of this work than by copying the Preface.

'The main object of this work is *utility*. It has been the

aim of its conductors to collect within the smallest compass the greatest amount of useful and practical information on those topics, in which the community is generally interested. The work is divided into Five Parts, and its plan and purposes will best be seen by a brief analysis of each of these.

'The First Part is devoted to the *Calendar*, embracing, in addition to the particulars usually inserted in Almanacs, a large mass of important facts in relation to the celestial movements, and tables for nautical and astronomical purposes. The Eclipses and Occultations have been calculated with extraordinary care, and much valuable information will be found connected with the subject of Tides. The Tide Table is followed by a table of the Latitude and Longitude of the principal places in the United States. To suit the calendar pages to every part of the Union, the rising and setting of the Sun and Moon have been calculated for some of the chief cities in different parts. A column in each month is also devoted to useful remarks, and another to remarkable events. Further explanations of this part of the work will be found prefixed to the Calendar.

'The Second Part contains information, communicated in a simple and intelligible form, respecting the celestial changes and most common astronomical appearances. An account of Almanacs is followed by an explanation of the division of time into Days, Weeks, Months, and Years; the Holydays of the Church; the variety of the Seasons; the Signs of the Zodiac; Astrology; the Moon's Phases, and Eclipses; Tides; Spots on the Sun; the Rotation of the Planets; the Orbits of the Planets; Comets; and much information on other kindred topics, designed to elucidate and adapt them to the understanding of persons of all degrees of knowledge.

'In Part Third are contained miscellaneous articles and directions of general usefulness; a selection from Washington's Agricultural Notes and Journal; Franklin's Poor Richard Revived; advice on the Use of Fruit; an Essay on the advantages of Fresh Air in promoting health and comfort; another on Clothing; and Facts concerning Intemperance.

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'Such is the outline of our plan, as executed in the present attempt. We confess that our wishes have been but partially realized, especially in regard to the individual states. As little pains are taken in several of the states to collect statistical facts, and less to arrange and present them to the public in a tangible form, it is extremely difficult to carry this head to any degree of completeness. Our enterprise was undertaken, also, at too late a period in the year to enable us to procure intelligence from remote states. In some instances, however, the deficiency must be ascribed rather to the remissness of our correspondents, than to any want of effort on our part. What we have published, will be enough to indicate the extent of our plan, and the manner in which it may be filled out. It is presumed, that the states, for their own convenience, will gradually adopt regulations for collecting and embodying particulars of this sort, and then the task of condensing and combining them into a single work will be comparatively easy.

'Should the success of the present volume warrant the continuance of an annual series, we may venture to promise essential improvements as we proceed. It will be seen, that a great deal of matter in this volume is of a permanent character, suited for reference at any future day, as well as for use in the passing year. *Facts* are unchangeable in their nature, and, when once recorded, their value is never lost. The method of tabular views, for communicating certain kinds of knowledge, has immense advantages over any other, in presenting, at a single glance of the eye, a mass of information, that would be expanded over many pages if exhibited in any other form. In every part of the volume, our chief aim has been to condense the information into as small a space as possible, and at the same time to convey it in so methodical and clear a manner, that it might be easily received by all classes of readers.

'The purpose of this work will allow the admission of many facts besides those of a strictly statistical character. The permanent features of geography may be here exhibited from time to time in tabular and compressed forms; such as the extent of different territories and divisions of the earth, the length of rivers, height of mountains, magnitude of seas, lakes, and islands, and all other particulars naturally embraced in comparative geography. The same may be said of chronological records, not merely as denoting the order of a series of events, but as grouping those of a similar kind under particular heads. In this way may be presented the dates at which the sovereigns of different countries were crowned, and the length of their reigns; the dates and places of memorable battles, the number of men engaged, and loss on each side; the dates of the treaties between nations; and other incidents analogous in their character. These remarks may even be extended to the regions of history and biography. A mass of facts thus collected from year to year, not only will have some interest at the moment, but will at length become a useful storehouse for future recurrence.

'A brief outline of our political progress may also be easily introduced, such as a summary of the proceedings of Congress and of the legislature of the several states for each year, so far as they give rise to any new results either in the promulgation of laws, or the establishment of institutions, or aiding schemes of improvement. All the particulars of this sort, when divested of their extraneous accompaniments, may be brought together within a narrow compass. Notice may also be taken of charitable and religious societies, and associations for promoting the objects of humanity, morals, knowledge, and social order. A comparison of the extent of such efforts might communicate correct views of their effects, and serve as a guide in future undertakings of a like nature.

'But in all this we have again to confess, that we are only hinting at what may be done, within the scope of our plan, and what we hope will be done, but not what we have actually accomplished or attempted in the present volume.

'The astronomical part, we believe, will be found more full and accurate, than anything of a similar kind which has appeared in the United States. It is intended to answer all the essential purposes of a nautical almanac, in addition to the usual calculations of an almanac and ephemeris. Should the work be continued, great care will be devoted to this part, and new matter will annually be given, illustrating in a simple manner the practical topics in the science of astronomy.'

The objects here proposed are in general satisfactorily accomplished in this volume. There are however some imperfections, which were perhaps inevitable in the commencement of such an undertaking, without a longer time for preparation, and which it may be presumed will be supplied in future numbers. Some tables appear to have been omitted on the idea, that they are too commonly to be met with, to need being here inserted. This we think is not a satisfactory reason for the omission. We would recommend a more extensive collection of foreign statistics. Means ought to be furnished for learning the condition and progress of other countries; and details of this description will be less likely to come to the knowledge of the reader of this volume through other channels, than those which relate to our own country. Details of the latter class, however, will properly constitute the chief part of the work. With the increased opportunity for preparation, which another year will afford, and with the exercise of judgment and the care exhibited in the compilation of the present volume, the conductors will without doubt present us all that can be reasonably desired in a publication of this sort. We hope it may meet with that degree of patronage, which will induce them to persevere in their design.

It would be improper to close this brief notice, without remarking upon the very neat manner in which this volume is printed. It is in a small and delicate type, and on beautiful paper; and in its style of execution, it will compare advantageously with the handsome productions of the British press.

QUARTERLY LIST OF NEW PUBLICATIONS.

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ANNUAL PUBLICATIONS.

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The Token, a Christmas and New Year's Present. Edited by S. G. Goodrich. Boston. Carter & Hendee. 18mo. pp. 340.

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No. LXVII.

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2. *The Library of Entertaining Knowledge.* Vol. I. and Vol. II. Part 1. 18mo.
[Published under the Superintendence of the Society for the Diffusion of Useful Knowledge. London. 1828–29–30.]

SOME one of the British journals, in speaking of the prolific press of the English Society named above, says, rather freely, 'We wonder where Brougham can find the men to write all these tracts.' Now we must as freely say, though without designing the least disrespect, certainly, to that distinguished individual or his praiseworthy coadjutors, that it seems to us they might find them anywhere. The truth is,—and the truth in this case is a matter of so much disappointment and regret to us, that we cannot suppress the expression of it,—there is a most lamentable want of tact, not to say talent, in these publications. No doubt the first series is sufficiently learned, that is, the scientific part of it, though we cannot 'wonder,' certainly, that men should be found to do this work for a fair consideration. But the want of talent appears in this, that there is no adaptation, in these tracts, to the purpose for which they were avowedly written. They are wholly unfit for the *diffusion of knowledge* among the mass of the people, or among the mass of general readers. And when this deficiency was confessed, though not remedied in the current series, as it ought to have been, the moment it was discovered; when a new series is brought forward, as if starting anew would better help the matter; when, we say, a new series

(the Library of Entertaining Knowledge) is got up, on purpose to correct the preceding error, what have we but a collection of children's stories about Menageries and Forests, descriptions that look like a traveller's memoranda of trees and plants; rambling anecdotes about dogs, cats, and jackalls; and all this, with scarcely any pretension to philosophical classification or instructive inference. We have had, but this moment, as we were writing, an exact illustration of the character of this series. We were expressing our disapprobation about this work in conversation; and the answer was, 'But don't you think it is a very good thing for children?' 'It is indeed a good thing for children,' was our reply, 'but it was designed for men.' The title 'Entertaining' we were in truth afraid of, from the first; and it seems to have impressed its character upon the tracts, almost to the exclusion of all other objects. They may do good, no doubt; we are not sorry to have them for our youth to read as entertaining books; but we cannot admit, that these or any publications of the British Society are examples of what can be done to further its great project.

Our brethren across the water must pardon us if we express ourselves somewhat strongly; for we have looked to them for the best thing that could be done; we have rejoiced at their great and noble undertaking; we have actually had visions of the good they were to do, and, confess it we must, we are grievously disappointed. The truth is, the first failure seems to have led to a separation of things which it was their very business and intention to unite. Of scientific books we had enough before; entertaining and intelligible treatises, too, such as Goldsmith's and St Pierre's; but the object of the Society was to give these matters a form sufficiently scientific for the best purposes of instruction, and yet to render them intelligible and interesting. Now its first series of tracts had enough of scientific classification, but was not intelligible to the mass of readers. To remedy this, the Society has issued a second series; but, by this arrangement, being unwilling to trench upon the ground of the first, they have cut themselves off from a large portion of the field of interesting and useful instruction; and that, too, the best portion. For instance, in the first series the subject of Vegetable Physiology was treated of; a subject which yields the most interesting results for mental and moral contemplation. But

in the second, as this ground was preoccupied, we have only an account of the general aspects and qualities of trees and plants; all very proper, and such as might have answered a very good purpose, if it could have been introduced to clothe the dry and barren limbs of the first. So again, we have Animal Mechanics in the first series, and the forms and habitudes of animals in the second. Now it does seem to us, that a work may be produced, with enough of scientific classification and detail on the one hand, and yet, on the other, intelligible, interesting, exciting and satisfying inquiry, gratifying the natural curiosity of the human mind, directing it to the practical applications of science, and exalting it to that devotion which is its great end. It might indeed be a work, and one of the noblest works, of united learning, genius, taste, and piety.

We have lately spoken of the new *American Almanac*, a work highly valuable in its general objects and character. There is one portion of it, however, against which we must enter, with qualifications, the same complaint, as against the first series of the English publications. The Second Part, on 'the Calendar, Celestial Changes, and Astronomical Phenomena,' is that to which we refer. There is an interesting series of brief chapters on these subjects; but here and there, when the matter becomes more deep and difficult, the writer certainly forgets that apparently hardest of all things to keep in mind, how many degrees he stands above those whom he undertakes to instruct. We refer, for instances of this observation, to portions of the chapters on the 'Calendar,' on the 'Year,' on the 'Solar and Lunar Cycle,' and on the 'Tides.' We will consent that any intelligent, but general reader, shall be umpire between us and the learned author of the Second Part, on the point which we have respectfully suggested for his attention.

The publications before us, with many others of the same character, invite our attention to a great and interesting project, which is nevertheless so novel and unprecedented, that it is probably regarded by some as extravagant and visionary, and by others, as unimportant and indifferent. A defence of this project, in these points of view, claims attention, for reasons that extend far beyond any limited sphere of our own, and in fact beyond our own country. It is indeed one of the peculiar and great undertakings of the age, to communicate scientific knowledge to the whole intelligent portion of the

mass of society. The energies of the social world, aroused, as they never were before, to the work of general improvement, are now, especially in England and in this country, directed particularly to this object. Three distinct series of publications, having, as one of their leading objects, the advancement of this enterprise, and bearing upon their title-pages some of the greatest names of England, are now issuing from the British press; and the Lyceums, which are rapidly springing up among us, are likely, if the first efforts are successful, to spread over the whole country. The records of Greek and Roman literature give no example or hint of productions or projects such as these. The splendid fables of Arabic learning and genius, though royal halls gave audience to them; the mystic lore and cumbrous philosophy of the East, furnish nothing that can enter into the comparison. The Lyceum, that was first built on the pleasant banks and among the shady groves of the Ilissus, where Aristotle taught philosophy, was designed only for a few studious youths. Those sequestered retreats were never invaded by the footsteps of the Athenian artisan or tradesman, nor by fruiterers or husbandmen from the fields of Attica. The noble project of bringing down high philosophy and holy science to the mass of the people, has been reserved for this age. It is a novel enterprise among mankind. It is an unwritten page in the history of the world. It is a project, we do not think it too much to say, which never before entered into the conceptions of men; for it is an attempt to pluck from the sun, 'in the highest heaven of philosophy,' the Promethean fire, to burn on the common hearth-stone in the humblest abodes of mortals.

The error of past ages has been, to accumulate power, wealth, learning, and even religious responsibilities and trusts, in a few hands. Monopolies have not been confined to property; they have extended to knowledge too. Science, as well as religion, has said to the mass of mankind, 'Stand by thyself, for I am holier than thou.' The paths of the scholar have led far away from the beaten track of common life. He has conceived himself to have little to do with the world at large; he has had few sympathies with it; he has felt little interest in it. He has compared science indeed to the light of heaven; he has talked eloquently about its properties; but he has talked in figures; he has not actually felt that it is one of the lights which men may daily walk by. In-

deed, these primary interests and blessings of the world, to which we have referred, have not failed of diffusion because they have not been duly appreciated; but because they have been held by their possessors in a sort of selfish estimation; because they have been considered as too good for the mass of mankind, or because it has been imagined that they would be soiled by a common use. But it is the strong tendency of all liberal thought and feeling, at *this* day, to bring every human acquisition to a practical account; to make men in politics their own rulers, in religion their own guides; to spread wealth, by abolishing the laws of entail and primogeniture, into general competence and comfort; and, as the best pledge and safeguard for all the rest, to call down knowledge, from its proud and inaccessible heights, to be the companion and cheerer of the lowliest toil and of the humblest fireside. *Diffusion* is the watchword of the age; and unless the spread of intelligence keeps pace with that of power, of wealth, and of religious liberty, it will become the motto of universal disappointment and defeat.

It is certainly an interesting question therefore, whether this tendency of things on so large a scale, and whether the professed undertaking to further it, in the department of the sciences particularly, promises to be either successful or useful. Is not the project to diffuse a knowledge of the sciences, visionary, impracticable? Or, if it is not, if it can succeed, is there a prospect of much good to be effected by it? These are the questions before us. And there is the more occasion to discuss them, because this practical character of the age, of which we have spoken, is sometimes falsely considered in such a light as to furnish specious, but unsound objections to our views; and because there is, in many minds, a peculiar skepticism about the practicability and expediency of diffusing generally a knowledge of the sciences.

The first feeling, in many persons, to whom this sort of knowledge is proposed for their acquisition, is a vague feeling of utter incompetency to the undertaking, or of the absolute impossibility or impropriety of the thing,—a feeling, as if it were proposed to them literally to scale the heights of heaven; or, at any rate, to put themselves altogether out of their place and sphere. 'We cannot know anything about these matters. They are for scholars to understand. They are to be learnt in colleges. If you attempt to teach *us* things of this

sort,' say many with an incredulous air, 'you must take patience with you at any rate.' It takes some patience to listen to the objection, we confess. For why cannot men, and all men, know? And why should they not? The objects of this kind of study are God's works, works which were expressly designed to be studied and admired by all his rational creatures; and, as religious reasoners, so far from admitting these things to be out of the province of the mass of mankind, we should say, that the world is not, and never will be, *right*, till they are generally understood. It is not in a fair and right state for its moral probation. But we have occasion, at present, only to urge the general propriety of these pursuits. If the object of God's works on earth had been mere temporary accommodation and comfort, less than all the infinite wisdom displayed in them would have sufficed. Plants, for instance, could have been caused to grow without their present curious structure and beautiful appearance. It is as evident that the world was made to display to its inhabitants the wisdom, as the goodness of its Creator. It is reasonable, therefore, that they should study it. No inquiry could be more proper for men, and for all men.

And why, we repeat, can they not know? The objects to be examined are all around them; the subjects of study are the very elements with which they are every moment conversant; the instruments are their senses; to see, to hear, is to know. The times for study are all times that are not necessarily engrossed with other pursuits; when they take a walk, when they look around them upon the works of nature, especially when they are at leisure. Why cannot a man, who sits down before his evening fire, spend an hour in reading a few paragraphs that will teach him the curious and beautiful theory of combustion? Why cannot any man read enough upon the nature and changes of the atmosphere, the clouds, and the seasons, to be in the habit of reflecting philosophically on what is passing around him, instead of receiving, as passively, in this respect, as the post before his door, the visitation of the elements? And as to time, 'the time that makes a wise man is the time that makes a fool; and the counters, with which the untaught lose the game, are the same with which the skilful win it,'—says, or should say, some proverb of the East or of the West. It is strictly true in this matter, that 'time and chance happen to all men'; but all men do

not know how to use them. The thing to be learned is 'not in heaven, nor beyond the sea, but it is nigh us.' It is said that Linnæus, when abroad one day in the fields with his pupils, laid his hand upon the green turf, saying, 'he had that under his hand, whose consideration might justly occupy all of them for a considerable portion of their lives. He verified this assertion, by showing that within that space there were thirty-four different species, either of grass or moss, or insects, or animalcules, or varieties of mineral.'

'Yes, but all this is nothing,' say our objectors. '*Science* is what we are talking about.' Nay, but this *is* the very thing. The foundation of the sciences is observation. The business of philosophy is not to construct theories, but to state facts; not to deal with mysteries in mysterious language, but to deal with plain matters in intelligible language. Science, instead of being a high and abstruse mystery, is a clearer up of the mysteries that lie in our daily path. We have no doubt, that the casual observations of many practical and plain men, if they had been properly and philosophically noted down in their own minds, would have laid the foundation for much useful philosophy. The judgment, for instance, which seafaring persons form of the weather, which seems at once as sure and as mysterious as instinct, is no doubt founded on actual and careful observation. If the observer had been, in this respect, a philosopher; if he had been able fully to state the grounds of his almost unerring predictions, he might have furnished far more valuable aid to the science of meteorology, than is now given in dry tables of temperature, wind, rain, and sunshine. And if the same observations were made on the land, it would not be difficult to form a Farmer's Manual, or a Traveller's Directory, which, in many cases, would be of great convenience and utility.

When science is mentioned, the minds of many persons are at once carried away from what is around them, to strange diagrams and curious and costly apparatus. These things have their place and use, it is true. Diagrams are essential in the mathematics; and apparatus is a needful auxiliary to scientific observation. But observation need not wait for them. The inquirer may begin his researches without stirring from the spot where he stands. He has only to revive the curiosity of childhood, a curiosity unhappily dulled by repeated disappointment; he has only to ask, What is this,

and why is that? and he has begun the work of scientific philosophy. If he has any zeal in these inquiries, he will procure or invent some simple apparatus to aid him; not to say that our Lyceums are now likely to make the necessary provision for his wants.

It was thus, and without these resources of modern enterprise, that our Franklin and Rittenhouse advanced through the first steps that led to their distinction as philosophers. We do not expect that many among us will rise to the same eminence; but we do say, that, with only a moderate portion of the same inquisitiveness, many may attain to a degree and kind of knowledge, that will give a new character to their minds and a new complexion to their lives, that will open treasures in nature, more truly valuable than the most fertile soil or the wealthiest mine. And to this end, we repeat, they are not to wait for lectures or apparatus, but to begin those inquiries which will as certainly lead them to reading and to experiments, as cause will ever lead to effect. It has been proposed as a good method of instructing children, to confine their attention to the apartment they are in, and to question them with regard to the nature and origin of everything in that given space. Such a course, we believe, never fails to interest them. And thus, if a man would question himself with regard to all the objects within the circle of his vision, he would find enough to elicit his curiosity, to task his reason, and give direction and employment to his hours of reading.

'True,' some will say, 'but all this requires a great deal of thinking; and our business is to labor.' But why not join them? Need a man stop turning over the furrow of his field, because he observes the chemical properties of the soil? Must the builder pause in his work, because he proceeds upon a full understanding of the principles of mensuration and architecture? Does any artist labor less assiduously or effectually, because he understands not only the practice, but the philosophy of his art? Does the merchant lay his plans less wisely, because he brings into his contemplation a sagacious and comprehensive view of the principles of trade? The truth is, that in all these cases knowledge does not hinder, but helps a man. Precisely as the philosophical, we had almost said, the imaginative system of the double entry helps the accountant, or as the science of geometry aids the surveyor, or of navigation, the mariner. And in a simple

journey upon the land, may not the traveller, without any interruption, take a philosophical survey of the country he is passing through, notice its soil, its productions, its capabilities, its mineralogical character? Even in judging of its scenery,—and no man would be thought so negligent as not to know whether he had passed through a fine or a dull tract of country,—even here, there is use enough, if he understood it, for the philosophy of taste. And with a mind thus employed, he would not only not be retarded, but he would find many sources of pleasurable interest; he would be saved from some portion of the tedium of a journey; and he would not need such frequent resort to the coarser stimulants which the tavern furnishes.

'But we do not know how to class these things,' still say our men of doubt and difficulty; 'we have no books, and we do not know how to begin; or if we do begin, we do not know how to proceed without instruction.'

There is some ground for these objections. Nature, at first, presents itself to the observer as an indigested mass. It is desirable that he should have some elementary works to aid him at the outset, to answer immediately those first inquiries, which we have represented as the beginning of philosophy. And we must confess, that there is here a deficiency, which we trust is yet and ere long to be supplied. Most of the Manuals of Natural Philosophy, of Chemistry, of Mineralogy, Zoology, &c. are designed for scholars. We want something of a simpler character. But what then? shall we do nothing for ourselves, because everything is not done to our hands? The Lyceums which are rising around us, we trust, are to furnish an answer to the question. Some among us have undertaken to instruct and to aid one another. And let it be observed in this connexion, that those who shall, in these institutions, give the results of their inquiries in the form of dissertations or lectures, who shall, with a generous zeal, study for that purpose, cannot, in their communications, use too 'great plainness of speech.' On this point, also, it is important that they should not put one thing for another. Prolixity is not plainness; nor are many words to be mistaken for much simplicity. Perfect clearness of ideas, no matter in how few words, provided they be intelligible, is the first qualification of a lecturer.

But again, let it be asked, shall we not read books, be-

cause they are not precisely what we want? Few books would be read or studied, by this rule. Besides, there are portions of most of the Manuals that may be read, with understanding and to advantage, by almost every one. And what if these things, in the outset, cost some study? What if some pages must be read over twice and thrice before they will be understood? If any one thinks these matters not worth the attention; if he is willing that the vision of nature should pass before him as an idle show; if he cares not to understand the works of infinite wisdom, it is not to him that this subject is to be addressed. If he has any intelligent concern or reasonable zeal on this subject, he will not think it too much to spend some of his leisure hours in the reading and study of those authors that will lay open to him the secrets of that world of science, which as yet, to most men, is truly an invisible and unknown world.

'Ay,' says some skeptical observer of this undertaking, 'you may address whom you will; you may say and do what you can; but you will never accomplish much. It is all a Utopian scheme; one of the forms of modern extravagance; an attempt to carry people out of their condition, to make philosophers out of ploughmen, and lecturers out of laborers. Let us rear up a community of plain, industrious men, who understand their business; and let those who please, dream of a nation of dreamers like themselves.'

There are some predictions which have no other chance of accomplishment, than their own credit yields. If the spirit of society falls in with language of this sort; if it is the tendency of the times to doubt or to contemn all projects for intellectual improvement; if skepticism is stronger than conviction, and ridicule is more weighty than men's interests, then we admit that this great and noble undertaking of the age may fail. But even then we shall not admit, that it is at all necessary it should fail. We maintain, that, if society would seriously and earnestly set about the work of self-improvement, there are intellect and ability of every sort enough, and a hundred times more than enough, to accomplish all that we desire. If we could promise that every leaf of scientific knowledge should turn to a bank note, though of the humblest denomination, the work would be secure of the desired fulfilment. If men would seek knowledge, not as they seek silver, but with a hundredth part of the same zeal, we should not fear

for the result. If, for opening the sources of innocent and elevated enjoyment, society would expend the tenth part of what it now pays for excess, vice, disease, ruin, and death, it would be enough; enough to build Lyceums everywhere; enough to procure apparatus and libraries; enough to pay lecturers; enough to meet all the expenses of the most liberal, or of the most extravagant projects, in this cause.

The substance of the objections we are now considering is, that the undertaking to disseminate scientific knowledge among the mass of the people, is visionary, that it is unsuitable to the state and objects of society. But let us consider what it is in this matter that is visionary. Not the knowledge proposed to be gained; not the treasured wisdom of nature; not the pleasure of contemplating it; not the aptitude of the human mind for such an employment; not the capacity of *common* minds to receive the elementary truths of science, for they are very simple. What then is visionary in this project? That, undoubtedly, which has caused every improvement that has been projected in the world to be denominated visionary. It is the novelty of the undertaking. It is this that marks it as chimerical. Unless, indeed, it may be said that one part of mankind were *made* to be ignorant and to work; and another part made to be wise and to rule them. On this summary classification and appointment, it is true, we easily comprehend what is meant by 'rearing up a community of plain and industrious men, who understand their business.' But, we trust, it is not visionary for men also to understand their own nature, to reverence their Creator, and to look, with earnest inquiry, into those proofs of power, wisdom, and benevolence, which he has spread before them. There cannot be a steam-boat, a power-loom, a fire-engine, the model of a carriage for a rail-way, or a newly invented machine of any valuable description, presented for inspection, but it is thought a mark of reasonable curiosity and enlightened judgment to examine and understand it. And shall we pass through this crowded world of skill, contrivance, wisdom, and beauty, and scarcely bestow upon it a casual thought?

But the point we are now considering opens to a wider discussion. The general question of utility here naturally offers itself. We have thus far been endeavoring to meet the question, whether anything can be done. Let us now

go to the inquiry, whether any good is likely to be done, provided the undertaking can succeed.

What is useful cannot be pronounced to be visionary. And yet what it is that constitutes the utility of any measure, or of any acquisition, may be a question, on which there will be all that difference of opinion, which shall make the project we advocate appear to some to be a visionary undertaking, and to others to be the soundest wisdom and the best policy.

With some, nothing is useful but what immediately tends to increase the property, comfort, and outward well-being of the people. And be it admitted, with all the readiness and latitude that can be desired of us, that these are important objects; yet they are not the only things that come into account, as affecting the welfare of society. But admit the importance of these interests. We believe that no one estimates them, singly considered, at a higher rate than we do. We are tempted to say, that one of the greatest evils in society is, that people are not well enough off. Not that there is a want of means, for Providence everywhere is bountiful; but these means are so distributed, and the maxims and habits of society are such, that the struggle of human interests and necessities is too hard; that, through human misdirection, the temptation to dishonesty, ambition, and mutual strife, presses harder, if we may venture to say so, than it was meant to press. We have reasons then, beyond all worldly prudence, for wishing that competence and comfort may be increased in the world.

But here we say, and might argue much at large, did our space permit, that the spread of scientific knowledge, a knowledge, in other words, of the mechanical powers and of the capabilities of nature, would tend, and directly tend, to bring about this result. Science, it has been often said, is man's empire over nature. It is this that makes a large part of the difference between the barbarian, who is subject to the elements, and of the civilized man, who commands them. It is this that, in civilized countries, is, every day more and more, rendering nature subservient to man's use, for food, medicine, clothing, habitation, fuel, convenience, comfort.

These, it may be said, are the labors of the learned. But Arkwright and Fulton were not learned. Besides, why should that which, in the hands of the studious, is so powerful an instrument, be so useless in the hands of the active

and laborious? We know that it is not. And it is demonstrable, as a matter of the plainest inference, that he, who works not as a senseless machine, but as an intelligent handicraftsman, who understands the powers he wields, and the elements and materials he works upon, will have a great advantage in his knowledge. The artisan, with this qualification, will be constantly improving his tools and the productions of his skill, and shortening the processes of his labor. The farm will be certain, other things being equal, to be better cultivated, and to be made more productive, by a scientific agriculturist. He will turn the stock, as well as the soil, of his farm to greater account, with the knowledge that books of science will give him. How many horses have been ruined by ignorance in the farrier of the part he operates upon. The foot of the horse is connected with the leg by muscles and ligaments, which answer the purpose of a fine elastic spring, that saves the animal from the shock, which every step would otherwise give him. This effect is aided by the expansion of the hoof, and by the descent, between the two parts of it, of a soft, muscular substance, technically called the *frog*. Now, if the shoe be placed too far back, or be formed so as to contract the foot, it will interfere with this admirable provision of nature; and lameness will ensue. In the building of houses, again, scientific principles are indispensable, and undoubtedly a thorough understanding of them would enable the carpenter to improve his plans, and to facilitate the execution of his task. But there is one evil that especially calls for a scientific remedy, and that is, the evil of 'smoky houses.' There are principles, if we are rightly informed, on which every chimney may be constructed, so as certainly to draw smoke; and any one may convince himself of this by the fact, that a Franklin stove is an invariable remedy for a smoking chimney. And yet, in many places, if not generally, more than half of the chimneys are so built, as to inflict this lasting evil, this century's calamity, upon a whole household. The fuel, that is expended, either to make a stronger draught by increasing the fire, or to heat rooms with half-open doors; the colds, rheumatisms, and various diseases induced in this way; the irritation, the actual ill temper occasioned by such circumstances, constitute, all together, no small item in the troubles and afflictions of domestic life! And all this, because one class of our artisans do not understand, in this particular, the philosophy of their business!

Life, it is often said, is made up of little things. And how much of the discomfort, the diseases, the irritations, and even vices of society, is owing to little things, to little defects of precaution, skill, or knowledge, is a serious question. This is not the place to enter into the subject. But of the minor evils that beset us, 'at home and abroad, in the house and by the way,' we are persuaded that a fair proportion might be corrected or avoided by a little knowledge and consideration of the laws of nature. We see human beings, as they now are, instead of going on harmoniously with the system of things around them; instead of conforming to the laws of their own constitution; instead of acting with decision, wisdom, and skill, in circumstances expressly designed to call forth these qualities,—we see them at war with nature, and not only so, but contending at a disadvantage, floated and buffeted by the elements, without the needful safeguards, misled by appearances, troubled by mistakes, overcome by accidents, often sick from the want of care, and sorrowful for the want of objects, though the world is full of objects.

Yes, full of them; and we now come to consider the question of utility in another point of light. That, emphatically, is useful which contributes to the happiness of the mind. And if this is true, then ideas, reflections, thoughts are to be set down on the scale of utility, and are to be set highest on that scale. Though not reckoned in the leger, though not gathered into the granary, nor deposited in the warehouse; though neither manufactured, nor bought, nor sold,—yet thoughts are useful. Nothing is so much to a man as what he thinks. 'As a man thinketh so is he,' and, especially, so is he happy or miserable.

And yet there is, with many, a kind of regular and set exclusion of the mind itself from the estimate of human welfare, and an exclusion, by the same rule, of knowledge from the objects that are worthy of a distinct, professed, and practical attention, among the mass of mankind. Knowledge, indeed, is allowed to be useful, but it is useful as being auxiliary to some more valuable, some visible acquisition. Thus the knowledge of the lawyer, of the physician, of the merchant, is acknowledged to be useful; but useful, all the while, as a commodity in the market. That is the only popular vein of it. And there is no doubt that the very words, *utility*, *advantage*, *good*, always, in popular use, relate to outward possessions. And, of course,

with this state of mind, all efforts and combinations to obtain such possessions, all banking associations, insurance companies, fur companies, copartnerships in trade, compacts of all sorts to lay a grasp on the 'main chance,' are the most reasonable things in the world. Nothing is visionary here but what fails; not the South Sea Company, till the bubble bursts; not the cotton or woollen factory, till the stock falls fifty per cent. But a Lyceum, a combination among the people to obtain knowledge, and especially scientific knowledge, a knowledge of such things as the air, and the light, and the stars, an ideal good, a bubble at the outset, a thing that cannot be put on the file of bonds and deeds, nor served up in the feast, nor made anything of in any way,—why, says our wise man, the project is chimerical! And forthwith he begins to talk about Utopia, and Oceana, and Arcadia, and sundry other things that have no real existence.

But knowledge is itself a good, and a real good. And the Lyceum that, in ten years' successful operation, adds twenty per cent. to a man's knowledge and enlargement of mind, will be, at least, as much valued by him, as the bank that, in the same time, adds twenty per cent. to his estate. The sort of knowledge that comes under the denomination of scientific, it is true, must, at least a portion of it, be sought for its own sake; and the defence of it is, therefore, to be put on that ground. We say, then, that the knowledge of nature, in those respects which have the least to do with men's business, is of itself a most delightful acquisition. To stand amidst the works of the wonderful Architect, as their admiring interpreter; to look around, not with the dull, unconscious gaze of mere animal sensations, but to comprehend, in their qualities and uses, the things that we behold, the air, the sunshine, the storm, the lightning; to see all things rising in their order, and moving in their harmony; to stand, as did the first man, and 'call by their names' all things that 'pass before us,' is to take one of the noblest and happiest positions on earth; and fittest, too, for the lord of this lower creation. The bare classification of outward objects is of itself a great pleasure. It is this, in part, that accounts for the enthusiasm of the mineralogist. Mineralogy, at first view certainly, is a very dull science. And yet its votaries take journeys on foot; endure storms, cold, hunger, and weariness; traverse extensive districts; scale lofty mountains with an eagerness that seems

almost like mania; and all this they do, not to put gold in their purse, but to put a few useless stones in their cabinet. Now, whatever be the cause, here is undoubtedly a great deal of pleasure. The huntsman has not a keener; no, nor the miser, nor the voluptuary. And the objects which yield this satisfaction are abundant, are common, are everywhere to be found. The stones in the street, the dull walls by the wayside, present to the eye of the mineralogist well-known and interesting forms and qualities.

But if the dullest things in nature yield this pleasure, what must its brighter, its more beautiful, its living forms? its plants of every shape and structure, and birds of every plumage, and animals that sport in all its elements and regions? Let our Wilson tell,—for our country was his by adoption,—who lived among the birds, made them as it were his companions, and understood their notes, as if they had been the voices of his children. Let the venerable Blumenbach of Germany tell, who has pursued the study of natural history till the period of eighty, with undiminished enthusiasm and delight. Or, to take singly the phenomena of vegetation,—what a secret world of wonders is there in every plant? It seems unfortunate that any man should pass through one spring season, and understand nothing of these most curious and beautiful processes, that are going on all around him. Growth, vegetable growth, which to the ignorant is a bare and naked fact, to the scientific eye is a history, a whole history of things, the most interesting to every intelligent mind. Survey it throughout, from its foundation silently and mysteriously wrought in the dark and senseless earth, till it rises up to the stately plant, or the towering forest tree; examine its interior structure; trace the firm and tough fibres that give it strength to resist the storms amidst which it flourishes; observe the ducts and channels carefully laid in it, to convey streams from the rich fountains of life below; mark its numerous cells, those secret laboratories of nature; and then consider the liquid sustenance, carried to its topmost bough and its outermost leaf, with no forcing pump to raise it, and conveying each particle to the exact place and position where it is needed, by a process of secretion that seems like mystery, and mystery it is;—survey this exquisite and wonderful workmanship, and who, we ask, would not know something of all this? Who would not give a little time to procure so great

a satisfaction? Who can be content to pass through the world in ignorance of these works of his Creator?

But there is another view of the intellectual good to be derived from such sources. Scientific knowledge supplies objects to the mind, that help to preserve it from stagnation, *ennui*, and melancholy. Something has been before said about the want of time for scientific inquiries. To this it has been answered in general, that there is time enough if it be well husbanded and improved. But to put this answer in the form of an indisputable fact, we say, that a great deal of time is actually occupied with reading among the mass of the community around us. There are many persons, who are not students, but who spend some hours every week in the perusal of the light and fictitious works, that crowd, almost to the exclusion of all others, the shelves of our circulating libraries. Now one great evil of this sort of reading is, that it trains no mental faculty, and awakens no intellectual effort; that, although it arouses the passions, it leaves the mind passive to the impressions made upon it. No intellect is more void of activity, more fatally dull, than that of the worn-out novel-reader. Scientific researches would produce a wholesome action, a salutary curiosity; and the gratification of this taste would not be confined to the pent-up room and the waning lamp, but would attend the cheerful walk, amidst the light and breezes of day, and the rich and fair scenes of nature.

There is much need of this kind of excitement. Most people want more to think about, and especially more that is useful, interesting, and worthy of a rational nature. In truth, there is a great deal of dulness, of mental sluggishness, in the mass of society. If it were not for the newspaper and the novel, our people would not know how to wear away the heavy hours allotted to them. But these do not sufficiently answer the purpose of excitement, not to say that one of them does not answer it in the best manner. Besides, our country is more destitute than any other of public entertainments, of public and professed holidays; and many of the simple resorts of this nature, the 'bees' and 'huskings,' are disappearing from our farm-houses, giving place, it may be feared, to grosser stimulants, to more solitary and sadder pleasures. All this, it is true, may not be so much felt in the immediate circle of commercial pursuits, of active and en-

grossing trade, and hazardous speculation. But it is felt abroad in the land, where no deep risks or keen rivalships agitate the people, and no evening assemblies, no theatres nor shows invite them. The long winter evenings pass wearily and heavily in many a habitation. This is a people, then, one might think, ripe for the great modern project of improvement, ripe for Lyceums and library societies; too intelligent to sit down stupidly and think of nothing, and as yet too little supplied with objects. And if the more active classes, in our cities and villages, less need such resorts as we propose, on one account, they need them more on another. For it were well, if it were possible, to calm down these agitating excitements of trade. It were well, if by any possibility it could be done, to make people feel that there is something valuable in this world besides money. It would be a truly republican project, too, to bring all classes of our citizens together, in the equally ennobling pursuit of knowledge.

Do our people, then, crave entertainment? Nature stands before them as a mighty storehouse of materials. The showman, the manufacturer of fire-works, has nothing like this. It would furnish to the people one grand and perpetual *fête*. It would open scenes of enchantment, and miracles of art, beyond all that theatre, or royal palace, or the fabled halls of oriental magicians could offer. The entertainment, too, would be comparatively cheap. Less than what it now costs to dress up artificial scenery,—and yet, if the theatre could be the noble school that it ought to be, we should not object to it;—less than what is given to pay for the feats of jugglers, mountebanks, and dancers; and less, far less than what it costs to distil the wholesome fruits of nature into poison, would be sufficient to unfold the secrets and wonders of this mighty treasure-house.

In the light of this contrast indeed, were it fully displayed, the contemplation of human folly would be perfectly overwhelming. If all that has been done, and expended, and lost, by the abuse of nature to purposes of gluttony, intemperance, luxury, vanity, and vitiating entertainment, had been devoted to the knowledge and cultivation of nature; and then, if all the boundless sum of treasure, toil, and life, that has been sacrificed in bloody and barbarous wars, had been converted to the same rational and beneficent use, it is impossible to describe or imagine the improved and happy condition in

which the world would now be found. If all human power, wealth, activity, zeal, and ingenuity had been fairly brought to bear upon the world's improvement and welfare, a scene would have been presented, to which the fabled Arcadia of the poets would be as the simple field to the well cultivated garden. The earth would indeed have been as 'the garden of God.' Means of communication, means of comfort might have been provided; broad and beaten pathways might have been opened through mountains and forests, to convey the blessings of civilization, and the greetings of affection, to the uttermost regions; fair cities and marble palaces and temples might have risen in every wilderness; rich groves and bowers of peace and contentment might have covered every plain, now barren and desolate, and oftentimes stained with blood. There need have been no ill-constructed habitations, no damp and loathsome hovels, no scantily provided board, no gaunt and haggard visage of hunger, no 'looped and windowed raggedness'; and, comparatively, there need have been no disease, nor vice, nor misery,—at least, no such frightful masses of these evils,—in the whole world. And yet, when we propose to turn the human mind to a consideration of the powers and uses of nature, when we propose to raise it from these dreadful and wasting delusions to knowledge, virtue, and religion, we are asked, as if the world had never proceeded upon any other rule,—'What use is there in all these things?'

We say, to religion; and upon the tendency of a knowledge of nature to awaken a rational, habitual, and fervent piety, we must add a few remarks in close.

Among the qualities of the human character, it seems to us that piety has been, least of all, wisely and successfully cultivated. And we speak of the cultivation of piety now, as one of the great *interests* of mankind. This is not the place to enter into the reasons, why it is to be thus regarded. But that it is a spring of lofty sentiments, a direct source of happiness, a promoter of virtue in its noblest forms; that it is a needful refuge for human weakness, and an interpreter of what would otherwise be life's troubled mystery; that it is, moreover, a most reasonable homage of creatures to their Creator, we shall consider as positions undisputed by those to whom we choose at present to address ourselves.

But although it is thus the interest, and, we might say, the

grandest form of the great interest of every human being, piety, it seems to us, among the body of mankind, has been one of the most inoperative, inconstant, and factitious of all sentiments. Let theologians dispute as they may about human depravity, total or partial, it must be conceded by all, that the Being, whose presence is ever and everywhere most truly with us, whose presence is constantly and most strikingly manifest in every object around us, is least of all present to men's thoughts. Now one reason of the deficiency of that great sentiment, for which, as we believe, there is a natural aptitude in the human breast, is, we doubt not, the want of knowledge, the want of enlarged and distinct ideas. It is not enough to say, in the general, that God is wise, good, and merciful. It is not enough to teach this on set times and occasions. It would not be enough to do this concerning any other being, in whom we wished to awaken a deep and habitual interest. We want statements, specifications, facts, details, that will illustrate the wonderful perfections of the infinite Creator; and these details require to be such as will make their impression every day and hour, as will mingle their suggestions with all the toils and cares of business, and record their instructions on all the paths of life. Men, it is often said, and too truly, are so engrossed with occupation, so oppressed with labor, so agitated by competition, and perplexed with difficulty, that religion is precluded and kept out of sight. What is needed then is, that religious reflections should be mixed up, if possible, with the mass of human pursuits, should start up unbidden on every side, should make their impression, as all deep and abiding impressions are made, by constant and unforced repetition.

Now, it is precisely this want that is supplied by the scientific knowledge of nature. Not that men would think less of their Bible, for thinking more of this knowledge. It would help to explain their Bible, and give a loftier meaning to many of the noblest passages of 'Holy Writ.' Nature, too, is as truly a manifestation from Heaven as the Scriptures. '*'Tis* elder Scripture, writ by God's own hand.' The knowledge of it could scarcely fail to be a most powerful means of devotion. It is worthy of remark, that those philosophers, in general, who have been students of nature, have been distinguished by a pious reverence for the Author of nature. How without that 'madness,' which the poet charges upon 'the un-

devout astronomer,' could they escape it? It follows, as inference from premises, as cause from effect. A man, who reads a work of genius, if he comprehends it, unavoidably admires its author. How could a similar, but loftier sentiment fail to arise from a study of the volume of nature!

But this volume has an advantage, in one respect, over all other volumes. It is, as we have already intimated, 'ever open before us, and we may read it at our leisure.' Nay, we must read it, if we understand its language, almost in spite of ourselves. 'Its line is gone out through all the earth, and its words to the end of the world.' Now of this various, unceasing, omnipresent communication, knowledge, knowledge, we repeat, is the great interpreter. It would make the world a new sphere to us, a sphere of new and nobler influences. Nothing that we remember, besides the direct effect of religious emotion, ever so effectually and entirely placed us in a 'new world,' as the simple philosophical history of vegetation. Knowledge would write lessons of piety on every leaf. Every 'turf would be a fragrant shrine.' The earth, in its light, would rear ten thousand altars around us. The air we breathe would be incense. And heaven, beyond towering arch or temple's dome, would bear us to contemplations, glorious, sublime, unspeakable, of the adorable Creator.

Art. II.—*Curiosity; a Poem, delivered at Cambridge, before the Phi Beta Kappa Society, August* 27, 1829. By Charles Sprague. Boston. J. T. Buckingham. 8vo. pp. 30.

If we may believe certain high authorities, it was once thought that poetry required peculiar natural powers; such as are not given to all men, at least in the same measure. The poet, in order to pass muster, was required to possess the highest attributes of mind and the best affections of the heart; to have an eye wide and searching, quick to discern the magnificence and glory of nature, and able to look down into the depths of the soul. Beside the delicate sensibility which voluntary retirement could give him, he was expected to have an acquaintance with all the principles of human action, from the power which lifted and swayed the stormy passions of

the multitude, to the hair-spring which set in motion the wayward ambition of kings. But not to dwell on these easy generalities, it is enough to say, that the poet was the favorite creation of the imagination of the ancients. Their deities were hardly respectable in their character and pretensions; they were nothing more than human agents, exalted to the power and dignity of evil spirits; with more capacity of doing evil, and even less disposition to do good. The poet made the hero; so that he had no rival in the admiration of men; and this may account for the number and greatness of the qualifications required in those who aspired to the sacred name.

For many years this imaginary being has ceased to be found, and grave men have doubted, whether any such ever existed. Certainly, the impression that any peculiar powers are required for the production of poetry is completely done away. The time which Johnson prophesied, in no good humor, is come in this country, if not in his own, when 'the cook warbles lyrics in the kitchen, and the thresher vociferates his dithyrambics in the barn.' One of the first efforts of our forefathers was to destroy the monopoly of genius, and to impress upon their children the valuable truth, that man could do again whatever man had done. They entered the sacred ground of poetry without putting off their shoes, and made sure of success beforehand, by establishing the principle, that praise was due to well-meant exertion. If an epitaph, an elegy, or even a hymn-book was called for, they considered it not a matter of choice, but of duty, to supply the demand. Even the great epics of our country, in more modern times, were written with the same intrepidity. The writers saw that all other great nations had their distinguished poetical works, and they resolved that their own land should not be without them; if no one else would write them, they would; though they had little leisure for the labor, and for the art itself neither propensity nor vocation.

From their time to the present, Mr Kettell will bear us witness, vast quantities of good merchantable poetry, of which his three volumes are only specimens, have been thrown into the market every year; or rather, we should say, have been produced; for some of the worthies of that collection little dreamed of being translated from the dark corner of a newspaper to a place among the northern stars. The result of

making this business so common has been a great developement of mechanical skill. Very tolerable verse may now be made with very little expense of time and labor; though there is reason to fear, that, in many cases, the workmanship covers the want of material. It is not long since an individual in one of our cities offered to supply the public with good verse, suited to any occasion, and at low prices; but the domestic manufacture had become so common, that he found no encouragement in his profession. We are evidently approaching a state of independence, even beyond that contemplated by the American system; when not only our nation shall cease to be indebted to others, but every individual shall furnish his own supply; and as all are pretty well satisfied with their exploits in verse, we rejoice in believing that every one will be supplied to his mind with poetry, which, if none of the best, is good enough for him.

But it must not be denied, that those who are inclined to look upon the dark side, represent this as a sign of the temporary decline of the art. For they say, and, it must be confessed, with some show of reason, that the gods have made excellence the prize of labor; and if the public are disposed to favor productions of the lighter kind, the fact, that excellence is no longer required, proves that the public taste is also declining. Neither is the success of the great poets of the present day any objection to this statement, because the labor spoken of is not required for single efforts, but in the preparation for great exertions. Thus it was by slow degrees, that Scott prepared himself for those works, which are now the wonder of the world; it was not at once, that Moore became master of his miraculous versification and imagery; and it was long before Mrs Hemans acquired that beautiful power, which now appears, however lightly her hand passes over the strings. With all their fine natural talent, they evidently felt and acted upon the conviction, that labor was essential to excellence and permanent success. Such is the opinion of sundry poetical skeptics; and whether it is a sound and sensible doctrine, or only an antiquated prejudice, time will show, when the momentary fashion is passed away. One thing, however, is clear; that those, who believe that no industry is required, fall into direct and servile imitation, and that not of the best models. For even to become sensible of the excellences of the great masters of the art, re-

quires thought and study; no man is struck, at the first glance, with the greatness of the Paradise Lost, any more than the power of one of Raffaelle's pictures; we do not choose such works for the entertainment of our leisure hours, till we have become familiar with their beauties; and as such works are not so popular as those which are less admired, the judicious race of imitators choose a nearer way to applause, and copy the marvels of the hour. But the peculiarities, which are pleasing in original writers, will not bear imitation by the ablest hand, and such are not the hands which usually engage in this employment; so that the imitation, like Gothic architecture in our country, is more desperately Gothic than its original, and at last model and imitation are brought alike into contempt; a fate, of which we have abundant illustration. We must not judge of excellence in this way. No man chooses the noblest sciences, the sublimest scenes, nor the greatest men, for the companions of leisure hours; and it is but a mistaken gratitude to pronounce those who have best entertained us the greatest masters of the lyre.

A great proportion of the poetry in our country is of this imitative kind. There is evidence enough, that it is not owing to want of genius, and we are inclined to ascribe it to a want of correct and strong ambition. No man here makes poetry a serious and engrossing pursuit; and those who treat it merely as a graceful accomplishment, naturally imitate the manner of the writers they are most familiar with; and as, for the reason just given, the writers most admired are not always most read, it has come to pass, as once in Israel, that they 'go in by-paths,' and the highways are deserted. Still we are confident, that the way of Milton and Pope, by which we mean the way of thoughtfulness, care, and labor, will triumph at last; for we are convinced that there is a large body of cultivated men in our country, who, though no lovers of what bears the name of poetry at present, do yet take pleasure in reading our older writers and the truly excellent of the day; who know that genius is as much a matter of cultivation as of nature; who know that a taste for the beauty and grandeur of the visible world is formed by meditation, that acquaintance with the heart is not intuitive, and that power over hearts and souls is not to be acquired in an hour; who therefore have no patience with those, who rest their claims upon immediate inspiration, and will neither read

nor hear without first having some assurance, that the writer, who invites their attention, instead of relying on charms and spells, has deliberately prepared himself for one of the highest and most difficult, and, when successful, most glorious enterprises of the mind.

Mr Sprague has secured the verdict of such men in his favor, and this is no light testimony to his merit. The occasion for which his longest poem was written, is one that assembles many persons who have no particular taste for poetry, but are disposed to listen and criticize it like any other intellectual exertion. Doubtless they are disposed to be pleased with what they hear, for want of candor is not the fault of our audiences; but we think that the poet would hazard much, who should attempt to interest them by the prevailing prettiness of the day. He is obliged to address himself to a manly good sense, and to that degree of cultivation in his own department, which men of education are apt to reach in every fine and graceful art. It was evidently with such impressions of his audience, that Mr Sprague prepared the poem before us; and, as might be expected from his ability, he ensured perfect success. Many of those, who looked for no pleasure from verse, except its lulling sounds, were amazed to hear from a poet so manly and business-like a production.

We cannot help thinking, that it would be well for our poets to have some such tribunal, from whose decisions they might learn the public taste, which is generally merciful in its judgments, and almost always just. If the poet writes for himself, it is hardly worth while to publish his works, and he may choose what style he will; but if he intends to amuse or instruct the public, he must conform to their taste, unless he can prove it widely distant from truth and nature. This, we apprehend, no one could do. Our audiences are at least as enlightened as those of ancient Greece; and there can be no doubt, that such works as Campbell's 'Gertrude,' Moore's 'Melodies,' Southey's 'Roderick,' Byron's 'Corsair,' and Mrs Hemans's 'England's Dead,' would be listened to with enthusiastic delight. We have often thought, that, in all the fine arts, as well as fine writing, the object should be to gain the favor of refined minds, which have no intimate acquaintance with the particular art; in other words, to aim at that simplicity which is universally and always pleasing. We do not believe that one of Allston's pictures could pass unnoticed

by any educated man, who had the least attachment for the art, however unversed in the mysteries of light, shade, and proportions. And when we have seen the exquisite weariness of audiences, listening to music which was understood by none but the performers, not to speak of the contortions of such as were lashing themselves up to rapture, common humanity has tempted us to wish, that some means could be devised to check this wanton expenditure of skill. Whoever has listened to the wailing of neglected poets, more in anger than in sorrow, over the perversion of public taste, would rejoice if a way was discovered to spare them that torture. We take the liberty to recommend to them to consult the public taste in one or two efforts; and if they deserve success, we believe they will have no reason to regret the trial. Nothing can exceed the favor shown to poets in this country. Bryant, Halleck, and others have been read and praised with enthusiasm; and if Percival had but followed their judicious example, his fine imagination and remarkable power of language would have given him a place second to no other in the public regard.

Mr Sprague has shown great good sense in this respect, and has accordingly met with uncommon favor. Though he has succeeded so well in theatrical addresses,—and where Byron failed, it is no small praise to have succeeded,—we cannot wish to see any more of them. Such a stiff and ungainly service is not worthy of his powers. Nor are we disposed to be so partial to his 'Shakspeare Ode,' brilliant although it is, as to some other pieces of less pretension. We prefer the following lines on 'Art,' which, we believe, were written for some public occasion. The circumstances are well selected and happily combined, and would give any reader the impression of true poetical power.

'When, from the sacred garden driven,
Man fled before his Maker's wrath,
An angel left her place in heaven,
And cross'd the wanderer's sunless path.
'T was Art! sweet Art! new radiance broke,
Where her light foot flew o'er the ground;
And thus with seraph voice she spoke,
"The curse a blessing shall be found."

'She led him through the trackless wild,
Where noontide sunbeam never blazed;—

The thistle shrunk,—the harvest smiled,
And nature gladden'd as she gazed.
Earth's thousand tribes of living things,
At Art's command to him are given;
The village grows, the city springs,
And point their spires of faith to heaven.

'He rends the oak,—and bids it ride,
To guard the shores its beauty graced;
He smites the rock,—upheaved in pride,
See towers of strength, and domes of taste.
Earth's teeming caves their wealth reveal,
Fire bears his banner on the wave,
He bids the mortal poison heal,
And leaps triumphant o'er the grave.

'He plucks the pearls that stud the deep,
Admiring Beauty's lap to fill;
He breaks the stubborn marble's sleep,
And mocks his own Creator's skill.
With thoughts that swell his glowing soul,
He bids the ore illume the page,
And proudly scorning time's control,
Commerces with an unborn age.

'In fields of air he writes his name,
And treads the chambers of the sky;
He reads the stars, and grasps the flame
That quivers round the Throne on high.
In war renown'd, in peace sublime,
He moves in greatness and in grace;
His power subduing space and time,
Links realm to realm, and race to race.'

The next quotation is part of an address to two swallows, which flew into a church window during divine service. It reminds us of the mild and thoughtful beauty of Bryant's 'Lines to a Waterfowl,' perhaps the finest of that popular poet's writings. No subjects better display the talent of a man of genius; to give such interest to a trifle, and use it to suggest high and important instruction, though often attempted, is seldom so successfully done.

'Gay, guiltless pair,
What seek ye from the fields of heaven?
Ye have no need of prayer,
Ye have no sins to be forgiven.

'Why perch ye here,
Where mortals to their Maker bend?
Can your pure spirits fear
The God ye never could offend?

'Ye never knew
The crimes for which we come to weep;
Penance is not for you,
Bless'd wanderers of the *upper deep*.'

Mr Sprague is best known by his Poem delivered before the Phi Beta Kappa Society at Cambridge, in August, 1829. The poet, on this occasion, labors under some disadvantages. He succeeds an orator, who has already engaged the attention of the audience with some high intellectual subject, for a time limited only by his own discretion; and who, whether dull or able, may be supposed to leave his hearers little disposed to listen to any other. Beside, by an absurd and unexplained arrangement, those, who would secure places for these performances, are compelled to endure an hour or two of previous declamation, of the unmeaning kind in vogue in our public institutions. All these things are certainly against him; and it is not easy to select a subject which will afford sufficient interest for the variety of hearers. Mr Sprague, however, not only added to the high reputation which he put at stake, but made himself known as the author of a poem, the high classical merit of which has established his poetical character.

His subject is Curiosity, and we think it happily chosen; if the subject is a matter of importance to one, who can give interest to any by rich and various illustration. The beginning of the poem is well imagined to awaken curiosity; but it was a bold experiment to hold the minds of his hearers so long in suspense, and but for the excellence of what succeeds, would hardly have been forgiven.

The effect of this principle, in childhood, is thus beautifully described.

'In the pleased infant see its power expand,
When first the coral fills his little hand;
Throned in his mother's lap, it dries each tear,
As her sweet legend falls upon his ear;
Next it assails him in his top's strange hum,
Breathes in his whistle, echoes in his drum;
Each gilded toy, that doting love bestows,
He longs to break and every spring expose.

Placed by your hearth, with what delight he pores
O'er the bright pages of his pictured stores;
How oft he steals upon your graver task,
Of this to tell you and of that to ask;
And, when the waning hour to-bedward bids,
Though gentle sleep sit waiting on his lids,
How winningly he pleads to gain you o'er,
That he may read one little story more.' p. 5.

Mr Sprague has taken advantage of this occasion, to lash many of the vices and follies of the times. His censure on the press is timely and powerful. We may endure to hear the prints of half the country praising 'The Course of Time,' but their eulogies of the licentious and disgusting 'Pelham,' deserve his severest sarcasm. The fierce and brutal violence of this mighty element, for a few years past, is enough to fill a thoughtful mind with dismay, when we reflect, that millions are daily drinking from these poisonous and polluted streams; and we are glad that Mr Sprague has given us a bright side to this dark and hopeless picture, colored with his usual power.

'All are not such? O no, there are, thank Heaven,
A nobler troop to whom this trust is given;
Who, all unbribed, on freedom's ramparts stand,
Faithful and firm, bright warders of the land.
By them still lifts the Press its arm abroad,
To guide all-curious man along life's road;
To cheer young genius, pity's tear to start,
In truth's bold cause to rouse each fearless heart;
O'er male and female quacks to shake the rod,
And scourge the unsexed thing that scorns her God.'
p. 12.

We give next the character of the miser, which reminds us of the characters of Pope. It would be well if such portraits were oftener held up to detestation in this country, where the power of gain being universal as the passion, and balanced by no other restraints than conscience and religion, which have but little influence with the worshippers of Mammon, we are in some danger of mistaking avarice for a virtue, and the miser for a benefactor of mankind.

'Go, seek him out on yon dear Gotham's walk,
Where traffic's venturers meet to trade and talk;
Where Mammon's votaries bend, of each degree,
The hard-eyed lender, and the pale lendee;

Where rogues insolvent strut in whitewashed pride,
And shove the dupes who trusted them aside.
How through the buzzing crowd he threads his way,
To catch the flying rumors of the day;
To learn of changing stocks, of bargains crossed,
Of breaking merchants, and of cargoes lost;
The thousand ills that traffic's walks invade,
And give the heart-ach to the sons of trade.
How cold he hearkens to some bankrupt's wo,
Nods his wise head, and cries,—"I told you so;
The thriftless fellow lived beyond his means,
He must buy brants,—I make my folks eat beans;"
What cares he for the knave, the knave's sad wife,
The blighted prospects of an anxious life?
The kindly throbs that other men control,
Ne'er melt the iron of the miser's soul;
Through life's dark road his sordid way he wends,
An incarnation of fat dividends;
But when to death he sinks, ungrieved, unsung,
Buoyed by the blessing of no mortal tongue;
No worth rewarded and no want redressed,
To scatter fragrance round his place of rest,
What shall that hallowed epitaph supply—
The universal wo when good men die?
Cold Curiosity shall linger there,
To guess the wealth he leaves his tearless heir;
Perchance to wonder what must be his doom,
In the far land that lies beyond the tomb;—
Alas! for him, if, in its awful plan,
Heaven deal with him as he hath dealt with man.'

pp. 17, 18.

There is one of the finest pictures we remember ever to have seen, of a family, the father of which is led by 'curiosity' to visit foreign lands. The gloom of his mansion, the regrets of his wife and children, and the thoughtfulness with which he leans over the cradle, with his purpose almost shaken, are described with truth and feeling; and powerfully wound up with a view of him, lying in the cabin of the homeward vessel, with the seal of death on his brow, till the short preparation is made for that most forlorn of all services, the funeral at sea. We have only room for the close.

'Cold in his cabin now,
Death's finger-mark is on his pallid brow;
No wife stood by, her patient watch to keep,
To smile on him, then turn away to weep;

Kind woman's place rough mariners supplied,
And shared the wanderer's blessing when he died.
Wrapped in the raiment that it long must wear,
His body to the deck they slowly bear;
Even there the spirit that I sing is true,
The crew look on with sad, but curious view;
The setting sun flings round his farewell rays,
O'er the broad ocean not a ripple plays;
How eloquent, how awful in its power,
The silent lecture of death's sabbath hour;
One voice that silence breaks,—the prayer is said,
And the last rite man pays to man is paid;
The plashing waters mark his resting-place,
And fold him round in one long, cold embrace;
Bright bubbles for a moment sparkle o'er,
Then break, to be, like him, beheld no more;
Down, countless fathoms down, he sinks to sleep,
With all the nameless shapes that haunt the deep.'

pp. 24, 25.

Mr Sprague's language is simple and nervous, and his imagery brilliant and striking. There is a spirit of pervading good sense in this poem, which shows that he gives poetry its right place in his mind. Above all there is a lofty tone of thought, which indicates superiority to the affectations of the day. Notwithstanding the intimations conveyed in the close of this work, that the duties of his life are of no poetical character, we venture to hope, that some moral subject will again inspire him, and hazard nothing in predicting, that, in such an event, he will do honor to himself and the country.

ART. III.—*Suggestions respecting Improvements in Education, presented to the Trustees of the Hartford Female Seminary, and published at their Request.* By CATHARINE E. BEECHER. Hartford. Packard & Butler. 8vo. pp. 84.

MUCH of the existing evil in the world may be removed or lessened by human agency. What now is, and always has been, regarded as the most powerful means for improving the condition of our race, is education. This being so well understood, it is sometimes asked, Why, then, are the hopes of

careful and conscientious parents so often defeated in the future character of their offspring? Why is it, that the wealth lavished on education, and the unremitted labors of friends and teachers, so often yield but miserable and unsatisfactory returns; that where the good seed is sown, the harvest is nothing but weeds? We do not now inquire, as to the causes of crime and wretchedness among individuals who are borne down by poverty and ignorance; or of the low and sensual morality of nations on which the light of Christianity has not yet shone; or of those which have been for ages oppressed under absurd political systems. But why is it, that, in a country like our own, whose political institutions are wise, in which education is made an object of chief importance, it should so often prove unsuccessful in its influence on the character even of those who are most fortunately situated?

It is not our intention, at present, to enter very deeply into the discussion of these questions. It is evident, that the imperfect success of education, compared with the means used, does not arise from any want of interest in the subject. On the contrary, the whole community of our country seems to be fully aware of its importance, and is striving earnestly to increase the present means, and improve the present modes of education. Every year is adding new states to the number of those which provide free schools for the instruction of all classes. Legislatures and individuals have showered their bounty on our seminaries of learning. Every day brings forth new treatises for the use of schools and colleges, and new volumes for the instruction and amusement of youth, which, compared with those in use twenty years ago, exhibit great and manifest improvement. We behold, on every side, proofs of the earnest and constant efforts which are making to promote the welfare of the rising generation. We daily hear of new schools on improved plans, and of new systems of instruction introduced into the old. Sunday schools, too, which are now so common, are an instrument to act on the moral nature of the people, the power of which is great, and as yet, perhaps, not fully appreciated. The societies for the diffusion of knowledge, the Lyceums, and Mechanics' Institutions, the popular scientific lectures, also afford means of advancing the intellectual, and, at the same time, the moral condition of the great mass of the community, to which former ages present no parallel. And not only are the respectable

portions of the laboring classes thus incited and led to improvement; but even those degraded outcasts, the tenants of prisons and houses of correction, have been sought out by a judicious humanity, and made the objects of the blessings of education.

However much satisfaction we may feel in contemplating the facts to which we have alluded, still we cannot but confess, that education is as yet a very imperfect instrument, compared with what it might be rendered. The object of the little volume, named at the head of this article, appears to be to show some of the causes of this imperfection, and to suggest improvements. The author is the Principal of the Hartford Female Seminary, an institution for the education of females, which has acquired a high reputation under her direction. It appears from the title-page, that it was presented to the trustees of the Seminary, and that it is published at their request. The author, after pointing out the defects in school education, states some of the modes of instruction which are pursued in her own establishment, and finally proposes certain changes in it for the consideration of the trustees.

We can truly say, that we have read this little volume with great pleasure. Not that we give our entire assent to all that the author advances, for we shall have occasion, before we finish, to controvert some of her positions; but her book exhibits great good sense, a thorough practical knowledge of the business of instruction, and a deep and lively interest in the subject. It is evidently the work of patient reflection and careful observation; and written in a very animated and forcible manner. Her suggestions do not all merit the praise of absolute novelty, but many of them have the higher merit of truth and correctness; and, indeed, when we consider that, as far back as the time of Lycurgus, the science of education was, in some respects, as well understood and thoroughly practised as at present, and recollect the attention which such minds as Quinctilian and Locke, to mention no others, have devoted to the subject, we shall readily believe, that what the public requires is not always to have new paths pointed out, but to be recalled to the old. We believe that few parents and few instructers can read this little volume without deriving from it something useful. And perhaps that heavy mass, the public, which is oftentimes so difficult to move, but

whose momentum is so irresistible when it is once set in motion, may be forced into action by this and similar publications.

After remarking, in the outset, how much time, labor, and money are expended to little purpose in the instruction of youth, and what service teachers might render by communicating to the public the results of their experience, the author continues as follows.

'Most of the defects, which are continually discovered and lamented in present systems of education, may be traced, either directly or indirectly, to the fact, that the *formation of the minds of children has not been made a profession securing wealth, influence, or honor*, to those who enter it.

'The three professions of law, divinity, and medicine, present a reasonable prospect of reputation, influence, and emolument, to active and cultivated minds. The mercantile, manufacturing, and mechanical professions, present a hope of gaining at least that *wealth* which can so readily purchase estimation and influence. But the profession of a *teacher* has not offered any such stimulus.

'It has been looked upon as the resource of poverty, or as a drudgery suited only to inferior minds, and far beneath the aims of the intellectual aspirant for fame and influence, or of the active competitor for wealth and distinction. The consequence of this has been, as a general fact, that this profession has never, until very reeently, commanded, or secured the effort of *gifted minds*. These have all forsaken this for a more lucrative or a more honorable avenue; and few have engaged in it, except those whose talents would not allow them to rise in other professions, or those who only made it a temporary resort, till better prospects should offer.

'In all other professions, we find *bodies of men* united by a common professional interest; we find organs of public communication, in the form of *periodicals*, or of official reports; in all other professions, the improvement of distinguished minds, and the result of their successful experiments are recorded and transmitted for the benefit of those who may succeed. The duties of all other professions are deemed of so much consequence that *years* must be spent, even after a liberal education, in preparing for these *peculiar* duties; and the public are so tenacious lest these professions should be filled by persons not properly prepared, that none may be admitted, but upon an examination before those qualified by study and experience to judge of the acquisitions of each candidate.

'Even the simple business of *making a shoe*, is deemed of such importance and difficulty as to demand an apprenticeship for *years*, and mankind are usually very cautious not to hazard em-

ploying even one of this profession who is unprepared for the business he attempts.

But to *form the mind of man* is deemed so simple and easy an affair, that no such preparation or precautions are required. *Any person* may become a teacher without any definite preparation, and without any test of skill or experience. Thousands will be found who would consider it ridiculous for a child to have his foot covered by an awkward and inexperienced artisan, who yet, without a moment's examination, would commit the formation of his mind to almost *any one* who will offer to do the business. Were our country suddenly deprived of every artist who could make a shoe, we should immediately witness frequent *combination* and *consultation* to supply the loss. The most ingenious would be employed to communicate to others their skill, and thousands of minds would be directing their energies to restoring this useful art to its former advance toward perfection. But the *human mind*, that spark of immortality, that wonderful origin of knowledge, invention, affection, and moral power, where has been the combined effort, the patient instruction, the collected treasures of experience, the enthusiasm of interest, which should direct in clothing this emanation of Deity with all its expanded powers, its glowing affections, and undying energies? Has it not been the desultory, disunited business of a class of persons, driven to it by necessity, performing it without the enthusiasm which glows in all other professions, and leaving it whenever a livelihood could be obtained in any other respectable way?' pp. 4—6.

Perhaps this passage may be considered as rather an exaggerated picture; but, unfortunately, its general truth cannot be questioned. The author next shows, how unfitted mothers and teachers frequently are for the business of education.

'It is to *mothers* and to *teachers*, that the world is to look for the character which is to be enstamped on each succeeding generation, for it is to them the great business of education is almost exclusively committed. And will it not appear by examination, that neither mothers nor teachers have ever been properly educated for their profession? What is *the profession of a Woman?* Is it not to form immortal minds, and to watch, to nurse, and to rear the bodily system, so fearfully and wonderfully made, and upon the order and regulation of which the health and well-being of the mind so greatly depend?

'But let most of our sex upon whom these arduous duties devolve, be asked; Have you ever devoted any time and study, in the course of your education, to any preparation for these duties? Have you been taught anything of the structure, the nature, and

the laws of the body, which you inhabit? Were you ever taught to understand the operation of diet, air, exercise, and modes of dress upon the human frame? Have the causes which are continually operating to prevent good health, and the modes by which it might be perfected and preserved, ever been made the subject of any *instruction?* Perhaps almost every voice would respond, No; we have attended to almost everything more than to this; we have been taught more concerning the structure of the earth, the laws of the heavenly bodies, the habits and formation of plants, the philosophy of language; more of *almost anything*, than the structure of the human frame and the laws of health and reason. But is it not the business, the *profession* of a woman to guard the health, and form the physical habits of the young? And is not the cradle of infancy and the chamber of sickness sacred to woman alone? And ought she not to know at least some of the *general principles* of that perfect and wonderful piece of mechanism committed to her preservation and care?

'The *restoration* of health is the physician's profession, but the *preservation* of it falls to other hands; and it is believed that the time will come, when woman will be taught to understand something respecting the construction of the human frame; the philosophical results which will naturally follow from restricted exercise, unhealthy modes of dress, improper diet, and many other causes, which are continually operating to destroy the health and life of the young.

'Again, let our sex be asked respecting the instruction they have received in the course of their education, on that still more arduous and difficult department of their profession, which relates to the *intellect* and the *moral susceptibilities*. Have you been taught the powers and faculties of the human mind, and the laws by which it is regulated? Have you studied how to direct its several faculties; how to restore those that are overgrown, and strengthen and mature those that are deficient? Have you been taught the best modes of *communicating* knowledge, as well as of *acquiring* it? Have you learned the best mode of correcting bad *moral* habits, and forming good ones?' pp. 7—9.

The remarks upon the common want of proper preparation in schoolmasters for their profession, and their consequent unfitness for it, are judicious. This is indeed a great evil, and one for which it is difficult to suggest an adequate remedy. A very large proportion of all the teachers in our country, are persons who adopt the business of instruction merely as a means of support for some short period, not intending to take it up as the profession of their lives. These individuals, however meritorious, cannot feel a deep interest

in this temporary calling. An employment, which is always extremely laborious, becomes irksome and disagreeable to those who have assumed it from necessity, not choice, and are constantly looking forward to leave it as soon as possible. With such feelings, how can they be expected to perform their duties in a manner satisfactory to themselves, or useful to their pupils. Even with the most conscientious desire of doing everything which they ought to do, they cannot feel that interest in their pupils and their pursuits, which is essential to good instructers. They will rarely exert themselves to make any improvements in the received modes of teaching; or, if they do make such exertions, will rarely have opportunity to mature and apply them successfully. It may also be remarked, that the personal characters of many men, who are in other respects estimable, totally unfit them for teachers. Should men, who are arbitrary, irritable, impatient, and passionate; or abstracted and inattentive; or cold, severe, and taciturn; ever be admitted into the office of instructers? In theory, there can be but one opinion on this subject, that such persons should never be allowed to undertake the business of teaching; yet, in practice, it is but little regarded. What effect will such instructers have on the dispositions of the youth committed to their charge?

Our author says, very justly, that many of the most serious evils in education have arisen from the want of proper school-books. There is undoubtedly much ground for complaint in this respect. Yet the evil is in a fair way to be gradually cured. In many of the books of instruction, published of late years, especially those intended for younger children, we find a more exact adaptation to the capacity and wants of the pupils; an attempt to make everything as clear and simple as possible, to give interest to the dry abstractions of science, and thus to make books the pleasant companions, instead of the severe masters, of youth. The introduction of the plan of Pestalozzi in arithmetic, for instance, by Colburn, must have led to some beneficial changes in the mode of teaching that branch of knowledge. So the improvements in the reading-books for young children must render their path up the hill of science less rugged. And we should think, that the use of a Greek lexicon with English definitions might make the study of that rich and delightful language less repulsive to young students, than it is

when the meanings of words in an unknown tongue are given in another scarcely less unknown. The introduction of English, in the place of Latin notes, in the Roman classics, is also a real and substantial improvement. What could be more absurd than to suppose that a boy, who cannot learn the meaning of twenty or thirty lines of Virgil in less than two or three hours, should be willing to task his leisure with finding out the meaning of twice the quantity of the learned notes of Father Ruæus. The dictionary and the notes, which ought to be assistants to the scholar, if in a foreign language, only perplex him with new enigmas. A great future improvement in school-books may certainly be looked for with confidence from what has already been done, and is now doing.

Our author remarks, that 'another great defect in education, is the habit which is so often formed, of *committing to memory words*, instead of acquiring *ideas*.' 'To teach children to think, to reason correctly, to invent, to discover, and to perform various mental operations with speed and accuracy, to communicate ideas in suitable language, and with clearness and facility, these have been the objects of but little attention. So general is the feeling that education consists in *committing to memory facts and principles*, that a great multitude of parents and pupils would feel, that following such pursuits as discipline the mind, induce habits of correct reasoning, cultivate quick perceptions, and give a ready command of language, as of little value; and it is difficult for teachers to combat this not uncommon prejudice.

'Another deficiency, in past modes of education, has been the neglect of using *objects of sight* to aid in illustrating and communicating ideas. It is stated by philosophers as a fact, that impressions made upon the mind by the organ of *sight* are much more vivid and abiding than those made by any other sense, and, therefore, that all ideas connected with such objects are much more readily recalled by the principle of association. Teachers also can testify to the fact, that whatever can be explained and illustrated by pictures, diagrams, or other apparatus, is much more readily comprehended, and more faithfully retained, than if mere *language* be the only method of communication. In our infant schools, which are probably founded on more philosophical principles than any other establishments for education, this principle is extensively adopted. And those who have witnessed what the infant mind can achieve, when words are not used till they are fully understood, and where *objects of sight* are combined with language in communicating instruction, can readily conceive that the same principle, applied to more matured in-

tellects, must be of incalculable benefit in securing clear, accurate, and abiding knowledge.

'But how little has this principle been adopted in common schools, where all books are crowded with words which children do not understand, and where, in most cases, not a single object of sight is presented for their aid.' pp. 12—14.

We have only to add our hearty assent to these remarks. One of the greatest dangers, in all systems of instruction, undoubtedly is, that it should become too formal and mechanical, that the master should content himself with following the beaten track, without ever considering whether it is the best road to his object. To appoint a task to be learned from a book, and to hear a recitation, are, in too many schools, all that is usually done or thought of. The strength of the memory, no doubt an important object, is thus increased. But the aim of the master should be, beyond this, to see that the boy understands thoroughly the subject which he is studying, that he is not permitted to take a new step till the last is firmly planted. He should endeavor to interest his pupils in whatever study they are employed upon, to animate and encourage them. No recitation should pass without a conversation between the master and his pupils. He should set before them the uses and objects of the study which they are pursuing, point out to them why they are required to engage in it, and direct their attention to everything in their lesson which should interest them. If there is anything in it difficult to be understood, he should explain it, and should urge them to ask for explanations, if he neglects to make them. He should also use such illustrations as are adapted to their minds, and endeavor to inspire them with zeal in the pursuit of the branch of knowledge which is before them. He must, if he wishes to interest them, feel a strong interest himself in the subject of his instructions. He should never for a moment suppose, that they will learn everything from books, without any assistance from him, but should constantly bear in mind, that oral communications are a far more efficient mode of instructing children than any books can be; that in addressing his pupils, he has it in his power to suit his instructions, his explanations, and illustrations, exactly to their present situation, their character, and moral and intellectual progress; all which a book can do but imperfectly; and that, if he addresses them as a friend who feels an interest in their

welfare, his voice will command their attention incomparably more than any printed volume.

We shall not attempt to give an analysis of the remainder of the publication before us; trusting that the specimens which we have already presented will be sufficient to recommend it to those who are concerned in the subject of which it treats. The author mentions as another defect in education, 'that it has not been made a *definite object* with teachers to *prepare their pupils to instruct others;*' and expresses an opinion, that 'many of the defects in the present system of education arise from the fact, that *the public have no standard by which to test the character of schools.*' She also urges very strongly the importance of introducing a greater *division of labor* into school education. Her own seminary, she thinks, affords a proof that this is 'the true principle both of *success* and *economy* in education.' This she illustrates by a comparison of the present state of the school with what it had previously been. The account of the state of things, before the principle of a division of labor was introduced, is as follows.

'The school increased for two or three years, till gradually the number had risen from fifteen to nearly one hundred; thus indicating that the *public*, at least, considered it as good as ordinary schools of that character. Being accommodated with only one room, not more than two teachers could be employed at the same time, and it generally was the case that from eight to twelve branches were taught every day, beside the exercises in writing, reading, spelling, and upon the slate. In several of these branches, owing to difference in age and capacities, one, two, or three classes were necessarily instituted, making the number of recitations so great, that not more than eight, ten, or, at most, fifteen minutes could be allowed, even to the most difficult and important recitations.

'The teachers spent their time in the following manner. Upon entering the school they commenced in the first place the business of keeping in order and quietness an assembly of youth, full of life and spirits, and many of them ready to evade every rule, were not the eye of authority continually upon the watch. To this distracting employment (enough sometimes to employ a dozen minds) was added the labor of hearing a succession of classes, at the rate of one for every eight, ten, or fifteen minutes. In attending to this, no time could be allowed to explain or illustrate. The teacher must endeavor to discover as quick as possible, if the pupil could repeat a certain set of words; if so, nothing more could be expected; if not, some extra stimulus, in the form of

reproof or inducement, must be applied, and then all that the teacher could do was accomplished; the next class must come, and thus through the day.

'By the time the duties of the day were over, the care of governing, the vexations of irregularities and mischief, the labor of hearing such a number and variety of lessons, and the *sickness of heart* occasioned by feeling that *nothing was done well*, were sufficient to exhaust the animal strength and spirits, and nothing more could be attempted, till the next day arose to witness the same round of duties. While attempting to teach in this manner, the writer felt that no single duty of a teacher could possibly be performed. The pupils could not be taught to *read*, or *write*, or *spell*, though many of them came most imperfectly prepared, even in these very first parts of education. No study could be understood by the pupil, nor in a single branch could the teacher prepare *herself* to instruct. All was a round of haste, imperfection, irregularity, and the mere mechanical commitment of words to memory, without any chance of obtaining a clear and definite idea of a single branch of knowledge.' pp. 21–23.

We have only room for a part of the account of the improvements since adopted.

'The accommodations consist of one large hall, where the pupils assemble for all the general exercises of the school, and where they are expected to study when not engaged in other school duties. Beside this, there are *ten* other rooms employed for the other purposes of instruction, such as a Library, Lecture Room, and Recitation Rooms. Most of these are furnished with black boards, and in some cases all the sides of the rooms are devoted to this purpose. *Eight teachers* are employed, and to each one the care of not more than one or two branches is committed. Beside these, there is a class of *eight* or *ten assistant pupils* employed, who are preparing to become teachers, and who have the care of instructing one class an hour each day, in some particular branch. Each teacher receives her classes at regular hours, in a recitation room devoted exclusively to her use, and is allowed an *hour* for the purpose of hearing and explaining each lesson. Each teacher is considered as responsible for the improvement of all who attend to the study in which she instructs. It is expected that, by reading and study, she will qualify herself to teach it *thoroughly*, and, at the close of the term, that she conduct the public examination of her classes in this particular branch.

'Beside the division of labor in the communication of knowledge, one other arrangement has greatly contributed to the best interest of the school. One teacher is exclusively occupied, as *governess*, in enforcing the rules of neatness, order, and propriety, and in administering the government of the school. She sits in

the hall which is devoted to study, to see that perfect quiet is preserved; she is the person from whom all permissions are sought; she attends to the regular departure and return of the classes to and from the recitation rooms; and in short relieves the other teachers from all care except that of communicating knowledge. No arrangement has more effectually contributed to the comfort and prosperity of the institution than this.' pp. 24, 25.

The author afterwards gives an account of the mode of instruction pursued in different branches of science, and what she considers necessary to be taught in each of them. Many of her observations are valuable. The mode pursued in teaching the art of composition, for instance, shows a careful attention to the subject; and we are not at all surprised at the success which the author represents to have attended it. We doubt, however, the expediency of requiring pupils to imitate or *parody* particular sentences from good writers. Such a course must tend to produce servile imitation and mannerism.

Connected with the division of labor, the author urges very strongly the necessity of having one person devoted to the formation of the moral character of the pupils.

'We have yet to learn,' she says, 'what could be effected, were the cultivation of the social feelings, and the formation and correction of the moral character and habits, the distinct department of one person, who should by talents and experience be suitably qualified. To fill such a station, it would indeed task to their utmost limit all the powers of intellect, the resources of knowledge, and the affections of the heart.

'The writer holds that it ought to be a maxim in education, that THERE IS NO DEFECT IN CHARACTER, HABITS, OR MANNERS, BUT IS SUSCEPTIBLE OF REMEDY. Heretofore it has too often been the case, that teachers and guardians of youth, when they have found bad habits and bad dispositions existing in their pupils, have felt that these were evils that they must learn to *bear with* and *control*, rather than peculiarities which must be *cured* and *eradicated*. But this is not so. Let a teacher have sufficient time and facilities afforded, let her make this a definite and express object, let her seek to learn from the experience of others the various operations of the human mind, let her study the various methods of controlling the understanding, the conscience, and the natural affections, and there is scarce anything she may not hope to effect. A selfish disposition can be made generous; a morose temper can be made kind; a reserved character can be made open and frank; an indolent mind can be stimulated to activity; pettishness and ill-humor can be changed to patient cheer-

fulness; a stubborn and unsubdued spirit can be made docile and tractable; vanity and heedless levity can be subdued; negligence in dress and personal habits can be remedied; uncouth or disagreeable manners or habits can be cured; *anything* can be effected in a mind endued with reason, conscience, and affection, if proper efforts are made, and proper facilities afforded.' pp. 43, 44.

'Let us suppose an institution where the pupils are all members of the same family, and in this establishment one teacher of suitable qualifications devoted to the formation and regulation of the moral character and the social feelings. Let it then become a prominent object with this teacher to gain the confidence and affection of the pupils. In accomplishing this it would be indispensable, that all the benevolent and generous affections of her own heart should be cultivated and in active exercise. Let her endeavor to discover all the *good* and *interesting traits* in the character of her pupils, that she may become *really* interested in them, and thus regulated by *affection* in all her efforts for them. This is the only way to secure their confidence, and to make them feel that all that is said and done is the offspring of kindness, and intended for their happiness. Let her also endeavor to make them acquainted with *her own* peculiar characteristics and feelings, and thus gain their esteem and affection; let her come to them with all the authority of a teacher, the affability of a companion, and the affection of a friend, and what might she not accomplish in correcting bad habits and forming good ones?

'In addition to this, let her be able to command the aid and coöperation of all the other teachers of the institution. From them she can learn their failings and their improvement, and to them communicate her views, and direct those efforts and that moral suasion, which can be used by others as well as herself in restraining and correcting faults.' pp. 46, 47.

The following remarks seem to us deserving of attention.

'Another defect in education has arisen from the fact, that teachers have depended too much upon *authority*, and too little upon *the affections*, in guiding the objects of their care. It is not uncommon to see teachers, in their intercourse with pupils, feeling it necessary to maintain a dignity and reserve, which keeps their scholars at such a distance as prevents all assimilation of feeling and interest.

'But if teachers possess such a character as, when known, entitles to respect; if they are firm and decided in making and enforcing the regulations that are necessary; if they take sufficient pains to show their pupils, that every regulation has their comfort and improvement as the primary object; if they can gain their confidence and affection, the decided and dictatorial voice of authority is seldom required. A request is the most

effectual command; a kind and affectionate remonstrance the most severe reproof. Teachers can mingle with pupils as companions, and gain a thousand times more respect and influence than could be gained at the most elevated and imposing distance. And they can cause the principles of assimilation and imitation, which are so powerful in forming the young mind, to act only in familiar contact with those committed to their care; and for this very reason every teacher of youth needs to make the cultivation of easy, affectionate, and affable manners, an object of especial attention. But while alluding to this defect, it ought to be remembered, that oftentimes teachers are so oppressed with care and responsibility, and their efforts are so constantly needed in discharging other duties, that it is *impossible* to seek a frequent and familiar intercourse with their pupils. Yet still it is believed, that if teachers generally would make this a *definite object* of attention and effort, more than double the influence could be exerted over the minds of their charge; for the *wishes* of a beloved teacher have unspeakably more influence, than the *authority* of one who is always beheld only at a respectful distance.

'For these and other reasons, it seems of great importance that the formation of the female character should be committed to the female hand. It will be long, if ever, before the female mind can boast of the accurate knowledge, the sound judgment, and ready discrimination, which the other sex may claim. But if the mind is to be guided chiefly by means of the affections; if the regulation of the disposition, the manners, the social habits, and the moral feelings are to be regarded before the mere acquisition of knowledge, is not *woman* best fitted to accomplish these important objects? Beside this, in order to secure the correction and formation of intellectual and moral character, which is deemed so important, it is necessary that a degree of familiarity of intercourse, at all times and places, an intimate knowledge of feelings, affections, and weaknesses be sought by a teacher, which is not practicable or proper for one of the other sex to attain.

'It may be said, and said truly, that women are not prepared by *sufficient knowledge* to become teachers in many branches. But they *can be prepared*, and where they are not so well qualified as one of the other sex, they so often excel in patience and persevering interest, as to more than counterbalance the deficiency.

'The writer cannot but believe, that all female institutions, for these and *many other reasons*, ought to be conducted exclusively by females, *so soon as suitable teachers of their own sex can be prepared*.' pp. 49–51.

Some disadvantages undoubtedly attend on all places of

instruction where a large number of pupils are brought together. One of the greatest is, that the instructers cannot be sufficiently intimate with the pupils. Whether this evil is remedied by the proposal to have one person entirely devoted to the moral character of the pupils, as is proposed by our author, seems to us a little questionable. One person cannot obtain an intimate knowledge of the character of a hundred young ladies at the same time. Besides, is there not danger that, by making morals the peculiar charge of one instructer, all the rest may become forgetful of their responsibility for the good character and conduct of their pupils?

We would not, however, have it thought that we disagree with our author as to the importance of a greater attention to moral culture in all places of education. On the contrary, there is much reason to fear, that the formation of the moral character is too often lost sight of by instructers. Not that this object is not understood, or that it has not been duly considered in treatises on education, or even that all teachers are insensible to its importance; but merely that, in many schools, academies, and colleges, as commonly conducted, the cultivation of the moral powers and feelings is not made so constant and direct an object of attention as it should be, and as we trust it will become in the gradual progress of improvement.

Art. IV.—*Elements of Technology, taken chiefly from a Course of Lectures delivered at Cambridge, on the Application of the Sciences to the Useful Arts. Now published for the Use of Seminaries and Students.* By Jacob Bigelow, M. D., Professor of Materia Medica, and late Rumford Professor in Harvard University; Corresponding Secretary of the American Academy of Arts and Sciences; Member of the American Philosophical Society; of the Linnæan Societies of London and Paris, &c. Boston. Hilliard, Gray, & Co. 8vo. pp. 507. 1829.

The word Technology gives but an imperfect idea of the contents of this volume. The end of a name would have been better answered by some title showing, that it treated

of the scientific and practical principles of many of the useful, curious, and elegant arts. All the arts may safely be called useful; it would be difficult to bring one to mind, which has not been, or might not be, made to 'promote the benefit of society,' and all probably owe their remote origin to that necessity which has so long been recognised as the mother of inventions. But what are the elegant arts, if not some of those treated of in this volume, Architecture, Painting, Sculpture, Engraving? And what objects of Art are more curious than the Steam Engine, the Hydrostatic Press, the beautiful exhibition of mechanical contrivance called a Governor, checking or hastening, almost of itself, the too rapid or too tardy action of water or of steam; the Hydraulic Ram of Mongolfier, creating a perennial fountain by the simple passage of the current of an open river through a tube; or the machine called Barker's Mill, in which, without wheels or flume, corn is ground by the reacting force of a stream of water spouting against the empty air?

Everything however, in the volume, has a practical tendency, and is suited to fulfil the intentions of the founder of the Rumford Professorship, from the chair of which the lectures of Dr Bigelow were delivered.

'A certain degree of acquaintance with the theory and scientific principles of the common arts, is found so generally important, that most educated men, in the course of an ordinary practical life, are obliged to obtain it from some source, or to suffer inconvenience for the want of it. He who builds a house, or buys an estate, if he would avoid disappointment and loss, must know something of the arts which render them appropriate and tenantable. He who travels abroad to instruct himself, or enlighten his countrymen, finds in the works of art the most commanding objects of his attention and interest. He who remains at home, and limits his ambition to the more humble object of keeping his apartment warm, and himself comfortable, can only succeed through the instrumentality of the arts.

'There has probably never been an age in which the practical applications of science have employed so large a portion of the talent and enterprise of the community, as in the present; nor one in which their cultivation has yielded such abundant rewards. And it is not the least of the distinctions of our own country, to have contributed to the advancement of this branch of improvement, by many splendid instances of inventive genius, and successful perseverance.

'The importance of the subject, and the prevailing interest

which exists, in regard to the arts and their practical influences, appear to me to have created a want, not yet provided for, in our courses of elementary education. Information on these subjects is scattered through the larger works on mechanics, on chemistry, mineralogy, engineering, architecture, domestic economy, the fine arts, &c., so that it rarely happens, that a student in any of our colleges gathers information enough to understand the common technical terms which he meets with in a modern book of travels, or periodical work. It is only by making the elements of the arts themselves subjects of direct attention, that this deficiency is likely to be supplied.' pp. iii, iv.

Such are the purposes for which the lectures were originally written, and for which the substance of them is now given to the public. Probably few young men, during the last twenty years, have come out from their courses of study at college into the business and interests of the world, without feeling more or less of the want, of which Dr Bigelow speaks. The great end of a rightly conducted education is, to bring out and give the complete exercise of one's faculties; and so long as the possession of a clear judgment, a quick apprehension, a fine taste, a correct mode of reasoning, and the right and ready use of language shall continue to be desirable, something like the system now pursued at our highest places of education will undoubtedly be continued.

But these are not enough. There is this great want to be supplied. The young graduate finds the conversation of people in society occupied with subjects that are new to him, on which he feels, notwithstanding, that he is expected to be better informed than others. He has long had his best thoughts absorbed with the principles of science; he is eagerly looking round for their applications. In considering the connexion he is to have with the productive classes of society, he sees how important it is to him, in whatever relation he is to stand to them, to have some knowledge of their pursuits. He is surrounded by the products of the arts; his necessities are supplied, his taste is gratified by them; he wishes to understand how the raw productions of nature have been so skilfully and beautifully converted into the fabrics which minister to his use and convenience, and give such facilities to his advancement. What are the combinations of machinery, which have, in a few years, in the manufacture of cotton, woollen, and iron, increased the productive labor of a great nation in a twofold or threefold degree? What are the modifications in the

application of steam, which are so changing the face and condition of parts of our own country and of others, opening new regions to the light of society and commerce, and bringing near each other the inhabitants of distant climates? What are the inventions to which he hears such frequent reference, as proving the great superiority of the age, and which have exercised, and brought forward to public view, the genius of Watt and Fulton, Arkwright and Perkins?

He has curiosity of a higher kind. He has not drawn so long from the Greek and Roman fountains, without imbibing an undefined reverence for the hitherto unseen and almost unimagined excellence of creative art in painting, architecture, and sculpture. What are these charming arts of Greece and Italy, which the highest and noblest have admired most? What were the slow advances, what the coincidence of sagacity and fortune, urged by what necessity, or what inspiration, has Grecian skill converted the log hut of the savage Pelasgian into the temple of Virgin Athené or of Olympian Jupiter? What is the art by which Phidias could so give the form of life to marble,

'Che non sembiava imagine che tace'?

To gratify, and still more to excite this curiosity, and to supply this want, are the tendency and object of the Elements of Technology. Such have undoubtedly been the effects of Dr Bigelow's lectures, and many will recollect with what interest and advantage they were heard. As a text-book, this work is likely to be still more useful. It may offer the occasion, as it gives the means, of forming, in many places of education, a new department or a new study, as important undoubtedly, and capable of being rendered as attractive, as any study or department whatever.

The object of such a department would be the application of the principles of philosophy to the arts and pursuits of men. And philosophy should be here understood in its most extensive sense, as comprehending, not only what has been fixed by the principles of science, but what has been discovered by experience and observation, or brought accidentally to light, in whatever concerns the external accommodation of the solitary or social man, facilitates his intercourse immediately or remotely with his species, gives him power over the elements and the productions of the earth, or enables him to extend his inquiries above or below him, and to penetrate

into the hidden parts of the creation. Such a department, or course of instruction, should not take the place of any other now existing, but should be superadded, as the key-stone of the arch, to give completeness and solidity to the fabric of education.

At the end of an elaborate, but somewhat flattering, comparative estimate of the character of the arts of ancient and modern times, we have the author's opinion of the value of the study we are recommending, which we are glad to bring forward in support of the view we have taken.

'Let any one, who would know what modern arts have accomplished, compare the repeating watch, and the unerring chronometer of the present day, with the rude sun-dial and clepsydra of the ancients. Let him consider the multiplied advantages which attend the invention of glass, which has enabled us to combine light with warmth in our houses; which has given sight to the aged, which has opened the heavens to the astronomer, and the wonders of microscopic life to the naturalist. Let him attend to the complicated engines and machinery, which are now introduced into almost every manufacturing process, and which render the physical laws of inert matter, a substitute for human strength.

'But it is not the contrast with antiquity alone, that enables us to appreciate the benefits which modern arts confer. In the present inventive age, even short periods of time bring with them momentous changes. Every generation takes up the march of improvement, where its predecessors had stopped, and every generation leaves to its successors an increased circle of advantages and acquisitions. Within the memory of many who are now upon the stage, new arts have sprung up, and practical inventions, with dependent sciences; bringing with them consequences which have diverted the industry, and changed the aspect of civilized countries. The augmented means of public comfort and of individual luxury, the expense abridged, and the labor superseded, have been such, that we could not return to the state of knowledge which existed even fifty or sixty years ago, without suffering both intellectual and physical degradation. At that time philosophy was far distant from its present mature state, and the arts which minister to national wealth were in comparative infancy. No man then knew the composition of the atmosphere, or of the ocean. The beautiful and intricate machinery, which weaves the fabric of our clothing, was not even in existence. When George the Third visited the works of Messrs Boulton and Watt at Birmingham, and was told that they were manufacturing an article of which kings were fond, and that that article was power; he was struck with the force and disadvan-

tageousness of the comparison. Yet the steam-engine had not then been launched upon the ocean, and had developed only half its energies.

'So long as the arts continue to exert the influence, and to yield the rewards, which they have hitherto done, there will be no want of competent minds and hands, to carry forward their advancement. With their increasing consequence, there must also be an increasing attention to their study and dissemination. Curiosity keeps pace with the interest and magnitude of its objects. And unless the character of the present age is greatly mistaken, the time may be anticipated as near, when a knowledge of the elements and language of the arts will be as essentially requisite to a good education, as the existence of the same arts is to the present elevated condition of society.' pp. 5, 6.

Dr Bigelow's book is well suited to be the foundation of a course of instruction in this study. It is not, as might, from looking over its contents, be thought, a superficial work, gleaned hastily from books of science, and treatises on the arts, but evidently the fruit of much study and research, carried on for ten years, with the leading view of collecting, on the subjects which it embraces, what is best ascertained and of most important practical bearing. Except in the introduction, the author, throughout the work, confines himself to giving the clearest and most satisfactory account possible of the object he is describing, and he must often, one would think, have exercised great self-denial in avoiding all speculation, when most inviting, and all subjects of associated interest. His descriptions are very much condensed; sometimes, perhaps, too much so. An indolent or superficial reader would be likely to consider this a defect. For the purpose of a text-book it is an excellence, as it increases, without obscurity, the mass of materials far beyond what could have been presented, by a different mode, within the same compass.

It is strictly what it professes to be; and one who should take it as the basis of instruction in the subjects of which it treats, having thus furnished to his hand all the essential materials for his lectures, all that requires the greatest research to collect and the most care to arrange and express, might give his undivided attention to those less important but often more interesting particulars, of a historical, discursive, or speculative nature, which might be employed to introduce and recommend the solid utility of the substance of the book.

The first chapter is upon the materials used in the arts,

taken from the mineral, vegetable, and animal kingdoms. To make it interesting as it might be made, access should be open to a cabinet richly stored with the spoils of the ocean and the land, from the bone that lines the mouth of the whale, to the horn of the wild ox* of Brazil, or the buffalo of Missouri, and the tusk of the elephant; the soft skin and hair of the goat of Cashmere, and fur from the northern lakes; specimens of each variety of wood, or stone, or metal, of ornament or use, whether growing in our native forests, or taken from the quarries beneath them, or brought from the shores and mines of distant countries;

> 'Oro ed argento fino, e cocco, e biacca,
> Indico legno lucido e sereno,
> Fresco smeraldo.'

In describing them, it would be more difficult to avoid, than to select valuable and curious facts in natural history to enliven the details.

The second chapter treats of the form, condition, and strength of materials, and begins, as do most of the chapters, with exact definitions of the language to be employed. Among the authorities referred to at the end of the chapter, we miss an illustrious name. The first treatise upon this most remarkable and useful branch of mechanics was written by Galileo, with an elegance and simplicity which make his works the delight of the scholar, as they are and always have been the pride of his countrymen. His original treatise contains the clearest elementary views that have, perhaps, at any time been given; and the best illustrations are still drawn from the same source.

Let it not be thought, that the name of Galileo is irrelevant, when we are speaking of a subject which owes its origin, the best of its methods, and the most beautiful of its illustrations, to the unacknowledged ingenuity and patience of this great man.

Chapter third is upon the arts of writing and printing. The first section, upon the modes of transmitting knowledge before the invention of letters, ends with the following observations.

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* Not less than seven distant places in South America send to the comb-makers in New England contributions of horns from the great herd of wild cattle, that roam the interminable plains from Patagonia to the bay of Honduras, and a practised eye distinguishes by the twist of the horn the region from which each came.

'The founders of the Pyramids have not been able to convey to us their names, and the productions of the earliest sages and poets can never be appreciated from acquaintance. The symbolic sculptures, which cover the antiquities of Egypt, are now subjects of empty speculation to the curious. History must have remained uncertain and fabulous, and science been left in perpetual infancy, had it not been for the invention of written characters.' p. 53.

If the portion upon the invention of letters had been written a few months after the time at which, as we understand, it was sent to the press, the author would doubtless have caught some hints from the investigations of Champollion and the other publications upon the subject of Egyptian hieroglyphics, in regard to this invention, and might have been led to consider the 'symbolic sculptures' as subjects of something more than 'empty speculation.' The only purpose for which we now refer to these very curious discoveries, is to notice the light, which the mode pursued in deciphering the hieroglyphics has thrown upon the hitherto dark path, by which the human mind was led on to the invention of letters.

This most important of inventions may well be, as it has been, considered the most ingenious or most fortunate that has ever been made by the human mind. If we could trace it, in its several steps, we should probably find that the first hint was suggested by necessity or furnished by accident, that this was gradually wrought upon by patient and sagacious thought, and carried out to its perfection by that divine instinct of fine minds, which forbids their resting satisfied with what is faulty or incomplete.

After the obvious invention of picture-writing, or the representation of visible objects by delineating their figures, and the higher and more difficult invention of hieroglyphics, representing ideas or abstract qualities by the figures of objects having a real or supposed resemblance to them, it became necessary, on the monumental structures of the Egyptians, to represent the names of individuals. When a name was significant, as are most proper names among rude nations, it would be an obvious device to delineate the figure of the object, of which the name was significant, with some mark to show that it was not to be understood symbolically. Thus, the figure of a wolf or a cross, sculptured upon the stone, would call to mind an individual who had borne one of these names.

Compound names of the same kind, such as *wood-house*, *Horne-man*, *Dart-mouth*, would present no greater difficulty; and in a language almost entirely made up of monosyllables, as the ancient language of Egypt is said to have been, nearly all the syllables were probably significative, and the syllables of most frequent occurrence significative of the most common visible objects. In such a language it would not be difficult to represent to the eye such a word as *Spi-ne-to*, by objects which should immediately recall the sounds of which it is composed.

This mode once adopted with significant names, or names made up of significant syllables, would be easily extended to those of different structure. Where it was found impossible exactly to hit the sound, an approximation might be made to it. In most cases, the sound of only a single syllable, or a single letter, would be indicated by a single figure, to a people speaking a language nearly monosyllabic. Where an object suggested more than one simple sound, choice or necessity might lead to consider it as representing only the initial sound. The figure of a *pen*, a *seal*, or a *vase*, would thus suggest only the sound of *p*, of *s*, or of *v*; and the figures of a *hand*, a *ring*, the *mouth*, and a *seal*, would express the name *Hermes*. The vowel-sounds need not be expressed, as they are omitted, to this day, in several of the oriental languages.

The Egyptian would thus have been furnished with the means of expressing any proper name in characters significant of sounds only; and it is precisely in this way, that the names of *Ptolomæus* and *Cleopatra* are found expressed on the famous Rosetta Stone, which has acted so important a part in so far solving the riddle of Egyptian hieroglyphics.

It would apparently not require a great stretch of sagacity to discover, that the figures which had been employed to express the sounds of which proper names are composed, might be applied to the expression of the sounds of all other words, and we are thus furnished with an alphabet of letters, made up of the figures of the most common visible objects. The difficulty and trouble of representing these accurately would gradually lead to the use of the outline of figures, instead of the figures themselves, or a part for the whole, so that at length only a rude resemblance would remain to the form of the original object.

The figures and names of the Hebrew letters are such as

they would have been, if invented in the way we have here supposed. A resemblance, more or less distant, to the whole or a part of such objects as the bull, a house, a camel, a door, is still to be traced in these letters, and is said to be still more striking in those of the more ancient Phœnician alphabet. The Phœnicians, according to Mr Astle, as quoted by Dr Bigelow, are thought to have the best claims to be considered the inventers of letters; and it is in their alphabet, that we most clearly perceive indications of their having been invented in the way we have endeavored to trace.

From the invention of letters, Dr Bigelow proceeds to the materials used, at different periods, in writing, and to whatever is most curious in the arts of printing and stereotyping, as they are now practised. Probably no part of the volume will be so new to the greater number of readers as this chapter. The concluding remarks are curious, as showing how near an approach had, more then once, been made to the art of printing, previous to its invention.

'Although printing with moveable types is exclusively a modern art, yet there are some steps in the discovery, which have claim to greater antiquity. The Chinese have printed with their characters for more than nine hundred years, but as the nature of this character requires that much should be expressed by a single figure, they are obliged to cut each character with all its complications in a block of wood, so that their method resembles a limited kind of stereotype printing.

'Among the relics of ancient Rome, there have been found letters cut in brass and raised above the surface exactly like our printing types. Some of these contain the names of individuals, and from their shape and appendages, were evidently used for the purpose of signature, the letters being small, smooth, and even, while the ground beneath them is unequal, and rough, so that they must have been employed, not for impressions into soft substances, but for printing with colored liquids, on a surface like parchment or paper. Had the individuals, whose names were thus printed, been visited with the thought, that, by separating the letters, they might print the name of another, it is probable that the art would have been at once discovered, and that the dark ages might never have happened.' pp. 69, 70.

To illustrate skilfully the chapter upon designing and painting, would require the knowledge and taste of a painter. With a few engravings, however, and a few pictures, the subject might be made perfectly plain and interesting. Without such illustration, and the instruments referred to or described

in this chapter, it is not venturing much to say, that by most persons the observations on perspective would not be understood. This is true of only a small part of the chapter. The greater portion of it, and the whole of the next two chapters, on engraving and lithography, and on sculpture, modelling, and casting, are in the highest degree interesting, and perfectly intelligible. It is needless to remark, how much a collection of good engravings in the different styles here described, a specimen or two of the metal plates engraved, of the stone and other materials used in lithography, of casts and *bas reliefs*, in plaster and in bronze, and a few engraved gems, cameos and intaglios, and mosaics, would add to the impression made on the mind of the learner.

But the most interesting and satisfactory portion of the volume, both from its subject and the full and successful manner in which it is treated, is the chapter upon architecture and building. The history of architecture and sculpture, if it could be fully written, would be the history of many of the noblest exertions of the human mind, from its first asserting its nature in the most remote antiquity, in the happiest and most flourishing periods of the great empires, and in their decline, through that period, which, with this history, might cease to be considered dark, down to the present day. It would trace these arts from their original caves among the troglodytes of ancient Ethiopia, the present country of the Abyssinians and Nubians, distinguished even in that remote age by traits of feature and form which we are wont to regard with pity or contempt as the marks of an inferior nature.

As far as can be learnt from the earliest and most authentic remains of art and tradition, dark-colored men, with flat faces and limbs not so straight as ours, were the first cultivators of the infant art. They dwelt in lime-stone caves in the hill country about the sources or between the branches of the Nile. Emerging, at whatever period, from these abodes, they built houses for their kings, and temples for their gods, in that massy style which most nearly resembled the sides of the caverns in which they had been reared. They descended the Nile, carrying with them arts, religion, and commerce. Elder Thebes was their colony. The Egyptians were their pupils, and perhaps their children. Under that splendid hierarchy of their priests, which had already fallen into decay when the materials for the first profane history which has

reached us were collecting, the valley of the Nile became richer, not only in corn, with which it supplied the wants of its neighbors, but in temples and cities, in colossal statues, in obelisks and pyramids, than any country the sun has ever risen upon. One of its works, and that too under ground, the labyrinth, Herodotus* pronounced to have cost more labor than the pyramids, or than all the public buildings of Greece. Here architecture had a purpose, it spoke a language. Wisdom and might of the Deity were the language of the Sphinx. The obelisk, which we attempt to imitate, but dare not dream of equalling, sacred to the sun, may have been a visible representation of a ray of his light, or an imitation of the figure of flame, one of the earliest objects of adoration, and not unfitly representing the creative, preserving, and destroying power of Deity.

A similar style of architecture and sculpture was carried by the same, or a kindred race, through Syria into Persia, and Southern India, and may still be seen in the ruins of Persepolis, and in the temples of Elephantæ and Ellora. Is it not the same, too, which the genius of the Greeks has perfected, in the Doric, Ionic, and Corinthian? Is it possible that Cadmus and Cecrops, and other forgotten captains and legislators; that Thales and Pythagoras, and others who studied in Egyptian schools, should have taken, along with the letters and sciences which they carried home to Greece, no drawings of columns and statues? Is the resemblance in shape and proportions, between the reeded pillars † of Luxor and the fluted Doric, and between the lotus capital of Latopolis and the acanthus capital of Corinth, accidental?

The origin of the orders of Grecian architecture is, notwithstanding, considered uncertain. The account the Greeks themselves give of it, as we learn from Vitruvius, is deserving of at least something better than the contempt with which it is spoken of by Wilkins.‡

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* Euterpe, 148.

† The origin ascribed to the peculiar form of the Egyptian pillars is curious and probable. They are supposed to have been meant to resemble bundles of the sacred lotus, fastened together at intervals, and having the leaves bending downwards at top, forming the capital.

‡ In reference to the Egyptian origin of architecture, the ingenious Mr Wilkins, with almost marvellous inconsistency, calls that nation *contemptible*,—those fathers of the sciences and arts, whom the ancients, with singular unanimity, reverenced also for their virtues and

At some remote period, according to the Roman architect, Achaia and all the Peloponnesus were under the dominion of Dorus, a son of Hellen and the nymph Opticho. In a temple, which this prince erected in honor of Juno, in the ancient city of Argos, he had the good *fortune* to hit upon a style of building, which from him has since been called Doric. The same style was from that time adopted in the other sacred edifices erected in the cities of Achaia, although no exact proportions had yet been fixed upon to guide in their erection.

In after times, by command of the Delphian oracle, and with the common consent of all Hellas, the Athenians sent thirteen colonies into Asia, under the supreme command of Ion, an acknowledged son of Apollo. Under his guidance these colonies landed on the coast of Asia, dispossessed the native Carians and Leleges, and founded thirteen powerful cities in the fertile region, to which, in honor of their leader, they gave the name of Ionia. There they established the worship of the immortal gods, and began to erect temples. And first to Apollo Panionius, the god of all the Ionians, they erected a temple in imitation of those they had seen in Achaia, and called it Doric, from being built in the style first adopted in Dorian cities.

Desirous, however, to introduce in this building columns of new and settled proportions, which should, at the same time, be beautiful to the sight, and suited to give a firm support to the weight which rested upon them, ('ad onus ferendum essent idoneæ, et in aspectu probatam haberent venustatem,') they bethought themselves to measure the foot of a man, and compare it with his height. The proportions they transferred to the Doric column, the height of which with its capital was, from this circumstance, made six times its diameter at the base. Thus the Doric column first exhibited in architecture the proportion, firmness, and majesty of the form of man.

In the columns of a temple to Diana, they introduced the more graceful proportions of the female form. These columns were made eight diameters in height. A slight base

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their wisdom. The learned Goguet says of them, 'Aucune nation, de quelque coté qu'on l'envisage, n'a fait dans les anciens temps plus d'honneur à l'humanité.' See '*Origine des Loix, des Arts et des Sciences,*' Vol. I. p. 44.

was in imitation of the slipper; the volutes, of the curls of hair on each side of the face; the cimatia and other ornaments, of the ringlets on the forehead, and the flutings, of the folds of the robe. The proportions, Vitruvius says, were improved by the better taste of a later age; and this beautiful style of architecture, thus first adopted by the Ionian colonists, has been ever since called the Ionic order.

The Corinthian column, the lightest of the three, has the slender and nymph-like proportions, and more delicate ornaments, of the virgin age. The story of the invention of its capital has been often told. A young maiden of Corinth died. Her nurse arranged the vases, in which she had delighted while alive, in a basket, and placed it upon the top of her tomb, with a tile upon it to protect them from the weather. The basket had accidentally been set upon a root of acanthus, which, as spring drew near, threw out its leaves and shoots, and climbed up the sides of the basket. On reaching the tile on the top, they were forced outward, and made to assume the curve, which we still see in the Corinthian volutes. It chanced that Callimachus, who, from the elegance and skill with which he wrought in marble, was known among the Athenians by the name of 'the artist,' passed by, and, charmed with the gracefulness and beauty of the arrangement of the leaves, and their position on the top of the monument, adopted them as the most appropriate capital of the columns he was raising at Corinth.*

Such is the account which Vitruvius gives us of the origin and proportions of the Doric, Ionic, and Corinthian columns; and which Mr Wilkins dismisses with the easy and unauthorized declaration, that it is a dream. The story itself is not altogether improbable, and although it would be rash to vouch for, and perhaps impossible to prove, its truth, it is unphilosophical, as well as presumptuous, to reject it altogether, without giving historical or other reasons for so severe a judgment. We have too much of this hasty criticism, which pro-

* We have thrown the substance of the account of Vitruvius into our own language, as the translation of Vitruvius, which is usually quoted when reference is made to this author, fails, in several important particulars, of giving correctly the full force of the original. The word *fortuito*, Mr Wilkins has not translated at all, although it is against this word that one of his sarcasms is directed. See *Wilkins's Vitruvius*, and *Liber Quartus, Caput Primum*, of the unpaged Venetian edition of the original.

nounces whatever is of doubtful authority an *impossibility* or a *dream*. There is hardly a strange custom among unknown nations to which these hard words have not at some time been applied. The instances of Herodotus and Marco Polo are almost too notorious to be mentioned, of men, who, having been for ages, from the ignorance of their readers, disbelieved, have been found at last substantially, and often most minutely, correct.

Neither are the circumstances of this story entirely inconsistent with what is probably the real, remote origin of the Grecian orders. It may have been the good *fortune* of Dorus to employ an architect, who had received his education, with numbers of his countrymen, in Egypt, and who would naturally adopt a mode of building with which he had been familiar. So, indeed, might the Ionian architects, borrowing the idea of a column from the beautiful examples in Thebes and Memphis, give it the definite proportions which it wanted, and that perfection of elegance to which nothing in Egypt had attained, by the profound and poetical study of the human form, which has long been, among artists, considered the measure and the perfection of every object of art. And Callimachus may have been familiar with the capitals of Egyptian columns, and yet have borrowed a hint from some accident like that related, prompted, as he would have been, by the pride of skill, which could be so much more fully displayed upon the rich and waving leaf of the acanthus, than upon the simple outline of the lotus leaf. The history of inventions in all the arts fully shows, that it is more frequently the prerogative of genius to pursue to perfection some casual hint, than to soar at once, unassisted, into the heaven of invention. The creations of Grecian genius leave enough for the admiration of posterity, even if we do not add the merit of the first invention to that of having perfected all the arts they touched upon.

What a picture of the vigorous action of the mind, of the character of the society, and of the genius of the religion of Greece would the succeeding chapters of our history present. What illustrations it would afford the scholar, of passages or words in almost every writer, from the treasure houses in Homer to the descriptions of tombs and temples in Pausanias. In the last period of the art, it would introduce us to what may be called the poetry of architecture, the

most curious and the most imposing of all the styles—the Gothic architecture, which, notwithstanding the fastidiousness of the southern taste, will long continue to command the admiration of the northern nations, with the wild songs and irregular dramas of the romantic school of poetry.

On this part of the subject, it would have been well if Dr Bigelow had been more full. There is no part of the history of the art, so little known in this country, indeed there is hardly a branch of any art so little known, as the different modes, the different eras, and the best examples of Gothic architecture; and there is certainly none more fully deserving and more sure to reward inquiry.

The section concludes with what is called, by a well known term, the application.

'In edifices erected at the present day, the Grecian and Gothic outlines, are commonly employed to the exclusion of the rest. In choosing between them, the fancy of the builder, more than any positive rule of fitness, must direct the decision. Modern dwelling-houses have necessarily a style of their own, as far as stories and apartments, and windows and chimnies, can give them one. No more of the styles of former ages can be applied to them, than what may be called the unessential and decorative parts. In general, the Grecian style, from its right angles and straight entablatures, is more convenient and fits better with the distribution of our common edifices, than the pointed and irregular Gothic. The expense, also, is generally less, especially if anything like thorough and genuine Gothic is attempted; a thing, however, rarely undertaken as yet, in this country. But the occasional introduction of the Gothic outline, and the partial employment of its ornaments, have undoubtedly an agreeable effect, both in public and private edifices; and we are indebted to it, among other things, for the spire, a structure exclusively Gothic, which, though often misplaced, has become an object of general approbation, and a pleasing landmark to our cities and villages.' p. 152.

We would beg leave here to suggest the want and the value of some exact information, and some wholesome suggestions, in regard to what would properly be called domestic architecture. By this we mean, plans and elevations of large and small houses, suited to the town and to the country; plans for the arrangements of the rooms of the different stories, so as to combine, within a given space, the greatest possible amount of conveniences; some account of what constitutes the comforts and conveniences of a house; the most useful arrangements for heat and for water, for light and for air.

Nothing certainly is more wanted by the great mass of our people, than correct notions upon the modes of building cheap, convenient, and comfortable houses. Great improvements have been made within a few years, in the mode of disposing the space within the walls. But how much is still suffered from mistaken and defective plans. How much is thrown away on brick and wood, in situations where stone, a material peculiarly suited to our climate, as warmer in winter and cooler in summer than any other, would be less expensive in its first cost, and would be laid for a distant generation.

Of the plates of illustrations of this chapter, we can speak in great praise, for their selection, arrangement, and easy comprehensibility.

The valuable chapter on Heating and Ventilation is well suited to our climate, fuel, and modes of building. Of the chapter upon the Arts of Locomotion, it is sufficient to say that it gives a perfectly clear description, accompanied by many important suggestions, of the structure, form, &c. of wheels; of the best modes of attaching horses; of the different kinds of Roads, Bridges, Railroads; Canals, Tunnels, Aqueducts, Locks, Boats; form and motion of Ships; Steamboats, Diving-bell; Balloon, and other modes of passing on air, earth, and water;

ἦμὲν ἐφ᾽ ὑγρὴν,
Ἦδ᾽ ἐπ᾽ ἀπείρονα γαῖαν.

We were sorry not to see added to this useful mass of information, particular directions upon the making of country roads. Two points demand the attention of legislators and of all, whose business it is to superintend the *construction* of roads, namely, the form of surface best suited to secure a dry and firm way, and the angle of declivity, which will allow vehicles to go quite to the middle of the gutter on each side, without being overturned. This, for safety, ought always to be possible, where the sides are not guarded by some firm barrier.

The value of the chapter upon the Elements of Machinery is suggested by its title. Every person, who is not somewhat skilled in mechanics, should read it before he can expect to derive the greatest satisfaction from a visit to any manufacturing establishment whatever. Among other curious contrivances described in this chapter, are, that for changing velocities, by means of two cones situated with their axes parallel to each other, and their larger diameters in opposite direc-

tions; the Sun and Planet wheel of Watt; that combination of power called the Toggle Joint; the Fly Wheel, commonly supposed to have the faculty of creating force, and really acting as if it had; and that miracle of self-regulating power, which has already been spoken of, the Governor.

It is not a common fault of authors to think too well of their readers, but it is one into which most writers on this part of Mechanics have fallen. To be suited to unlearned readers, several of the descriptions should, we think, be longer and more minute. A person must have uncommon quickness of perception, to understand immediately, from the description here and usually given of the Sun and Planet wheel of Watt, why the fly wheel revolves twice while the other is revolving once, and yet a line or two of explanation would make it perfectly plain. So the principle on which a fly wheel, the *effect* of which is very accurately described, accumulates power, does not become evident, until after mature reflection upon the nature of inertia, and a more full and particular account of that property of matter than is usually given. We recommend these and some other like points to the care of the author in future editions.

There is no subject on which there is more vagueness of thought among practical men, or more inaccuracy of statement in most writers, than the subject of the next chapter, the 'Sources and Comparative Value of the Moving Forces used in the Arts.' All of them, animal strength, water, wind, steam, and gunpowder, are extremely difficult to estimate accurately by themselves, and still more so to compare with each other. Notwithstanding the many careful experiments that have been made, much still remains to be determined, and we shall look with great impatience for the conclusions arrived at, in the experiments which, we understand, have been lately undertaken in a neighboring town, by a person, who has uncommon qualifications and extraordinary facilities for experimenting. Some fixed unit of measure ought to be adopted, as Hachette many years ago endeavored to persuade mechanics, to which all forces should be referred. The unit he proposed, or the *dynamic unit*, was the force required to raise a kilogramme to the height of a metre in a given time.

The measure recommended by Mr Watt, and generally, as Dr Bigelow says, adopted, is the average power of a horse. 'The measure of a horse's power, according to Mr Watt, is,

that he can raise a weight of 33,000 pounds to the height of one foot in a minute.' p. 256. Now, to say nothing of the uncertain quantity of a horse's power, and of its difference among different breeds and in different countries, what an awkward unit is 33. How much simpler to refer at once to some absolute unit, such as the force necessary to raise one or one thousand pounds one foot in one minute.

In the chapter upon the Moving Forces, we have accounts of the different kinds of water and wind mills; of the steam engine, carriage, and gun; of the useful application of gunpowder. Some fuller developement might have been given with advantage, of the three modes of action of steam; but the drawings and description of the machine are exceedingly clear and satisfactory, and taken from the latest and best authorities.

The fifteenth chapter treats of the modes and means of making ropes, carpets, cotton, woollen, and linen cloths; hats and paper, and of *spinning jennies*, *mules*, *power looms*, *double speeders;* with a word of memorial (may it prove a monument of lasting fame) to Hargreaves, Arkwright, Crompton, Moody, and others. We can only say of it, that as we found a great deal of it new ourselves, we are much inclined to think others will find it so likewise.

In the two succeeding chapters are contained descriptions of clocks, watches, and other instruments for measuring time; and of the modes of extracting, with many processes of working, the precious and useful metals. In these and the succeeding chapters, the bountiful contributions of the sciences of Mechanics and Chemistry to the arts, are exhibited, with a great mass of facts usually hidden from all eyes but those of artists and operatives, yet amply deserving the attention of every one. Three of these chapters are upon the subjects of communicating and modifying Color, by paints, dyes, and other processes; Vitrification, or the making and cutting of glass, artificial gems, and Reaumur's porcelain; and Induration by heat, or the arts of making bricks, and various kinds of pottery and porcelain, ancient and modern, from the unburnt bricks of Babylon, to the Etruscan vases.

'The use of bricks in building, may be traced to the earliest ages, and they are found among the ruins of almost every ancient nation. The walls of Babylon, some of the ancient structures of Egypt and Persia, the walls of Athens, the Rotunda of the Pan-

theon, the temple of Peace, and the Thermæ, at Rome, were all of brick. The earliest bricks were dried in the sun, and were never exposed to great heat, as appears from the fact that they contain reeds and straws, upon which no mark of burning is visible. These bricks owe their preservation to the extreme dryness of the climate in which they have remained, since the earth of which they are made, often crumbles to pieces when immersed in water, after having kept its shape for more than two thousand years. This is the case with some of the Babylonian bricks, with inscriptions in the arrow-headed character, which have been brought to this country. The ancients, however, at a later period, burnt their bricks, and it is these chiefly which remain at the present day. The antique bricks were larger than those employed by the moderns, and were almost universally of a square form. Besides bricks made of clay, the ancients also employed a kind of factitious stone, composed of a calcareous mortar.* ' pp. 463, 464.

The work very properly concludes with a chapter upon the Preservation of Organic Substances; and appended are twenty neatly executed plates.

A complete cabinet of apparatus, suitable to the illustration of the several subjects of the volume, would exhibit models of most of the curious engines and machines, which are employed in the useful arts, and collections of substances and instruments that would be, at the same time, useful in the departments of Chemistry and Natural Philosophy. Beautiful models of columns and other parts of buildings, and of some of the most remarkable ancient and modern edifices, may be easily imported. A common carpenter might be instructed to make wooden models of arches, domes, bridges, fireplaces, stoves, carriage wheels, water wheels, and many other parts of simple machines. A common clock of large size and the parts of a watch, would exhibit everything of greatest importance in Horology, and furnish specimens of many of the Elements of Machinery. Spinning jennies and double speeders might be found among the machinery in our manufactories, that has been superseded by the ever active ingenuity of our inventive countrymen. A working model of a steam-engine ought to be found in every place of education, for without it no one can get perfectly accurate ideas of its mode of action.

Much of what we have enumerated, may, however, be dis-

'* Some travellers have even advanced the opinion that the Pyramids of Egypt are constructed with an artificial stone.'

pensed with. The only indispensable part of the apparatus is, specimens of the *materials* used in the arts. No *description* or uncolored drawing can enable the imagination of one not familiar with colors, to conceive of a pigment of a particular shade of blue or yellow, or of Quincy sienite, or bird's eye maple. And, indeed, what more beautiful exhibition could there be to a person interested in the arts, or what more likely to create an interest in them, than a full collection of the native and foreign marbles, granites, and other stones used in building, showing their appearance when rough from the quarry, and when they have received surface and shape from the hand of the artist, and a similar collection of the various kinds of imported and indigenous woods?

At the end of each chapter Dr Bigelow has given a list of the best books upon the subjects of that chapter; and few treatises of high authority have been omitted. This adds much to the value of the work. By means of it an exceedingly valuable library might be collected; and the use of it would, in some measure, supply the want of a *catalogue raisonné* of a library already formed. We could wish there had been added the titles of some authorities, for hints or materials for lectures on domestic architecture, which we have noticed as among the *desiderata*. The Italian writers on Architecture would doubtless afford something to supply the deficiency. The second volume of the Civil Architecture of Milizia, a work which ought to be given to our language, would furnish at least abundant suggestions on the subject.

We trust it is unnecessary to add to what has been said anything to recommend Dr Bigelow's book. It ought to be in the hands of every scholar, and of every gentleman of taste or leisure, and we hope it will lead to a more general attention to the arts as objects of liberal curiosity.

Every educated person may find time, at some period of his life, to gain an intimate knowledge of some one of the useful or elegant arts, or of some branch of science or of literature. In a great majority of cases, this can be done consistently with that devotion to the peculiar studies of a profession, which is the only foundation of eminent success. A comprehensive and liberal mind will regard this occasional relaxation as a want. Instead of diminishing the vigor of its action, it will in the highest degree contribute to it. From the delights of its voluntary pursuit, it will return to the necessary duties of daily

occurrence with renewed animation. Some such recreation, indeed, is essential to the health and freedom of the mind, and will give it strength for higher and more energetic action.

In the desultory habits of reading, which are now too prevalent, relaxation is sought for in an endless variety of pursuits. Few give their attention long enough to any single object, aside from their profession, to obtain the commanding knowledge of it which will enable them to enlighten others, or to acquire a strong interest in it themselves. The choice of the afternoon's conversation, or the evening's reading, is left to the accident of the last review or gazette, or the latest novel. Years and lives of leisure are thus wasted without a purpose, and without enjoyment, by men who, by giving the hours of relaxation to a single object, might easily gain such a mastery of it, as to prepare a fund of entertainment for their friends, and for themselves a delightful resource against the monotony of daily cares, and the heavier but hardly less certain oppression of disappointment.

This resource may, indeed, be found in almost any pursuit which has been illustrated by human genius, or which opens an avenue into any part of the boundless field of natural science; no matter whether it be the history of Tuscan literature or the infinitesimal calculus, the language of the Mohawks or the habits of the ant, Greek history or the history of optics; any one, pursued far enough, becomes a subject of great and constant interest. But the successful study of many of these supposes a degree of leisure, or peculiarity of taste, or conjuncture of circumstances, which it falls to the lot of few to possess. It is not so with several of the arts. A knowledge of the history and principles and some skill in the practice of painting, drawing, or sculpture, or a complete acquaintance with the theoretical principles, without the practice, of architecture, mechanics, or any other of the useful arts, might be acquired in almost any situation; and their number is such as to leave free action to every variety of taste. Let each individual of a number of gentlemen who are in the habit of meeting together to exchange thoughts, select thus, and pursue, during the leisure hours of a single year, some one favorite object, and their meetings can hardly fail to become greatly more pleasant to all, when each shall bring to the common stock something which belongs to himself alone, than they are likely

to be, while, pursuing one course, their ideas and sources of information are nearly the same.

Nor is it only as contributing to the entertainment of social circles and the luxury of private study, that the apportionment we speak of is important. Without it the fine arts in this country can never be successfully cultivated and made to produce anything like the beautiful models of which the older countries in Europe are full. They have here no imperial or ducal patrons, no Juliuses or Leos, to lavish upon them the revenues of empires and of centuries; and may they never have a Pericles to appropriate the contributions of independent federal states to the ornament of a single city or a single state. The patrons of the fine arts among us are legislative or municipal assemblies, and parishes, and their organs are committees.

In this state of things our only hope for the advancement of the arts is in the cultivation of individual taste, in the gradual formation of a love for the arts, which shall render a few at least in each state and in each town so far distinguished, that it shall seem ridiculous even to a popular assembly to pass them over, in the choice of committees, in favor of the demagogues, by whom, in other concerns, they are often so willing to be led. Then only shall we cease to see public buildings curtailed of their wings, and left to support their dome as they can without them; or slender Greek pillars, of a light order, crushed beneath the weight of an enormous Gothic spire; or solemn gray walls of eternal granite enclosing the tawdry ornaments appropriate to a village assembly-room.

Wherever a pure taste in the arts exists, we see it producing its natural effects. The few instances of beautiful public buildings in our towns, can easily be referred to the influence of some single mind. It is only necessary to render, among educated men, and particularly among men of wealth and leisure, the cultivation of the fine arts more general, to make the violation of good taste in building, painting, and music, as rare as it now is common.

What has been said in regard to the cultivation of the arts, is almost equally true in regard to the exact and the natural sciences. In all there is a want of concentration of individual effort, of the apportionment of the parts of the wide domain of science to single proprietors. There should, it is true, be a union of action; but the purpose for which the cul-

tivators of the different districts should assemble, should be to give common facilities, and to enrich themselves and each other by the exchange of their separate commodities.

The publication of Dr Bigelow's book will contribute to the diffusion of a better taste, by making known the essential principles of the arts, and thus preparing for the circulation of larger and more particular treatises. It will do it no less by laying before the young inquirers something like a map of the various regions of pleasant knowledge, at a time when the affections are unoccupied, and

'The world is all before them where to choose.'

ART. V. *Report of the Secretary of the Navy to the President of the United States, December* 1, 1829.

WE know of no work of art, no production of human genius and human power, that in any manner rivals, or may even be named in comparison with, the sailing ship. Nor can we, in all the various modes of existence resulting from modern civilization, find any social position so strange, so unnatural, and yet so full of interest, as that which is offered by a ship of war. How singular the sensations of him who gazes for the first time upon this artificial wonder! His awe at the immense proportions of the huge machine mingle with astonishment at the celerity with which it traverses the water by the aid of its wide-spread and snowy wings,—at the ready obedience with which, at the will of a pigmy, like himself, it changes its course, advances towards the wind, retreats before it, or, entering the port, suddenly becomes still and stationary as the surrounding hills, while the clouds of canvass, which, an instant before, whitened the heavens, disappear, as if by magic, from his view. As he approaches, the awe excited by its growing size and formidable defences, keeps pace with the pleasure which he feels in finding these qualities blended with so much of symmetry and beauty. The smooth side broken only at regular intervals by the protruding cannon, the graceful curves of bow and stern, and the nice proportions of the tapering spars, as they rise in exact and Corinthian harmony, each sustained by its system of stays and rigging, in turn attract and gratify his eye.

And when at length he stands upon the deck, perplexed and amazed at the strange sights and sounds that surround him, his ears pierced by the shrill whistle of the boatswains, or grated by their rough bellow, rising above the din of the multitude, in voices which he can scarce recognise for those of his fellow men; when suddenly he beholds this scene of more than Babel confusion pass at the command of an individual, first into a death-like silence, and then into a movement as concerted as of a single body yielding to its inward will; and finally turns to survey and scrutinize the various arrangements for the comfortable accommodation of so many inhabitants, for destruction, and for defence,—no spectacle can have equal power to overwhelm him with wonder and admiration.

There is, indeed, much that is curious in a man-of-war. Each ship offers in itself a perfect community, self-existent and self-dependent; entirely unlike anything to be met with on shore. In fact, the land does not more differ from the water, than life ashore does from life afloat. One of the very first things which strike landsmen when they enter a man-of-war, is the entire restraint, nay, absolute surrender of volition in all except one of those embarked; the stern superiority of him who orders, and the mechanical and unqualified submission of those who obey. A ship, indeed, with its captain, officers, and seamen, forms no imperfect miniature of a monarchy, with its king, nobles, and third estate. If there be any difference, it is that the gradations are more decided, the despotism more complete. This state of things results less from the subordination necessary and common to all military establishments, than from the peculiar difficulties and dangers attending naval life, which do not allow each man to remain, even in immaterial things, master of his actions, but, inasmuch as the fate of all depends upon the conduct of each, requires a harmony of action only to be obtained by the most complete subordination to a single will.

These peculiarities render the economy of a man-of-war very interesting to landsmen, and the subject, well treated, is susceptible of much attraction. In 'Roderick Random' we have a good and true description of naval life. The 'Pilot' and 'Red Rover' of our countryman give us a more general, and at the same time more graphic picture of sea affairs; no author has more completely mastered the mysterious sources of interest that hover over the wanderers of the deep. With-

out abandoning the fireside, we are yet led forth in fancy to roam the trackless waste of waters, become participants in the elastic feelings of his heroes, as they dash onward, triumphing over space and the elements. He teaches us to prepare for battle, and nerves our arms to meet and grapple with the foe; to read the prognostic of the coming storm, to share the mariner's anxiety, to aid him in arresting its fury, and fairly carries us rolling forward, until the head swims and the eye grows dizzy. Nowhere, however, have we seen, in so few words, so spirited and moving a picture of the warrior-ship, as in those noble lines of 'Childe Harold.' They bring all our quarter-deck recollections thronging so palpably around us, that we cannot forego the pleasure of copying them.

'He that has sailed upon the dark blue sea,
Has viewed at times, I ween, a full fair sight;
When the fresh breeze is fair as breeze may be,
The white sail set, the gallant frigate tight;
Masts, spires, and strand retiring to the right,
The glorious main expanding o'er the bow,
The convoy spread like wild swans in their flight,
The dullest sailer wearing bravely now,
So gaily curl the waves before each dashing prow.

'And oh, the little warlike world within!
The well-reeved guns, the netted canopy,
The hoarse command, the busy humming din,
Where, at a word, the tops are manned on high;
Hark to the boatswain's call, the cheering cry!
While through the seaman's hand the tackle glides;
Or school-boy midshipman, that, standing by,
Strains his shrill pipe as good or ill betides,
And well the docile crew that skilful urchin guides.

'White is the glassy deck, without a stain,
Where on the watch the staid lieutenant walks;
Look on that part which sacred doth remain
For the lone chieftain, who majestic stalks,
Silent and feared by all—not oft he talks
With aught beneath him, if he would preserve
That strict restraint, which broken, ever balks
Conquest and fame.'

The Report of the Secretary of the Navy we have placed at the head of this article rather as affording us an opportunity to express some of our opinions on the subject, than with a view to criticism or elaborate discussion. We have only to remark in passing, that the Report contains some suggestions which seem to us important, and we are particularly glad to find in it

a renewed recommendation of the establishment of naval schools. But on this topic we shall touch hereafter.*

Without further preliminaries, we shall avail ourselves of the present occasion to institute a brief inquiry into the origin and progressive improvement of navies in general, and into the condition and prospects of our own in particular. And if it be remembered that, independently of the protection of our commerce, a navy is our natural means of defence; that all the nations from which we have anything to fear are separated from us by intervening oceans (we consider the present proximity of British territory as but accidental and temporary), and that they can only reach us by a display of naval power; that, in fact, of the foreign wars we have already waged, a majority have been exclusively of this character; that, whilst this mode of warfare demands infinitely less sacrifice of life and money,

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* In reverting to naval concerns, we are forcibly reminded of a work of much merit, which perhaps we ought sooner and in a more formal manner to have introduced to the notice of our readers. We allude to the 'Sketches of Naval Life, in a Series of Letters from on board the Brandywine and Constitution Frigates.' The title of the book itself promises much entertainment, and the author has well redeemed this promise. Descriptive scenes of a well-ordered ship of war, adorned in the first place by the presence of the most interesting and most enviable individual now living, the warrior, the patriot, the philanthropist, Lafayette—him whose generous sympathies were too expansive for a single hemisphere,—and afterwards relieved by visits to the fairest portions of the old continent, accidentally rendered more deeply interesting by the passing events of a revolution, then fixing the attention of the world, furnish no unworthy or ungrateful theme. Perhaps full justice has not been done to it, for this would be no easy achievement; yet we should neither deal fairly by the author, nor by our own feelings, did we not commend his total freedom from pretension and quackery, and the patriotic and liberal spirit in which his work is written. We would especially bear testimony to the good sense of that part in which he speaks of the improvements necessary to the perfection of our naval system. His concluding letters constitute the most valuable portion of the work, and may be read with equal advantage by naval men and by legislators. The advice to a young midshipman about to enter upon the duties of his profession, is equally creditable to the sound sense and good feelings of its writer; and we think that every young man, thus situated, might derive great advantage from its attentive perusal. Such a one is apt, when commencing his career, and looking with an eager eye to the attainment of honor and excellence, to form vague determinations as to the course of conduct which is to lead him to success. A system of action thus methodized and written down, might tend in no trifling degree to keep alive these generous aspirations.

the force by which it is maintained is without danger to our national liberties; finally, that a navy goes forth to meet the danger at a distance from our shores, leaving the cultivator to reap in peace the fruits of his labor, unalarmed by the turmoil of approaching war, and spared the slaughter and destruction that mark the track of armies;—if we keep in mind these facts, the subject may well command our attention.

Naval war exists in the earliest stages of society; it has its origin in the very passions and constitution of our nature. The savage has scarce learned to venture forth upon the water in the canoe which he has rudely hollowed from a tree of the forest, ere, embarking with his bow and arrow, his hardened war-club, his javelin, or his lance, he transports himself to the spot whither he is attracted by revenge for some real or supposed injury, by avaricious longing for some contemptible booty, the desire of making prisoners, of adding to the number of his wives, of providing victims for the altar of idolatry, or of furnishing a horrible banquet. He succeeds in his enterprise; or, met by a wary adversary, with equal weapons, and with everything to defend, they join battle; instead of trumpets, the wild whoop and war-conchs sound the onset; arrows and javelins are hurled, clubs are brandished; the frail barks of the combatants are overturned beneath them; and with the sea for an arena, and fury to make up for the imperfection of their weapons, they are enabled to strew it with victims. And thus we find the Caribs, not only destructively encountering each other, but disputing the victory with the steel-clad Spaniards, who first intruded upon the scenes of their triumphs; and with no better weapons than bows and arrows, even these wielded by the hand of woman, offering fatal resistance to the ferocity of the civilized.

Not very different from these Carib battles was naval war in the earliest ages reached by history or tradition. The heroes of Homer went forth in slight barks that were stranded and launched at pleasure, and the same individuals rowed and fought alternately. Among them, as among the Caribs, superior strength and valor decided the victory. In process of time, however, naval war began to assume a peculiar system; the ordinary vessels built for commerce were no longer used for warlike purposes, but as transports; and the galley, in whose construction and exercise the Athenians especially excelled, already acted an important part at the battle of Salamis.

In succeeding centuries naval warfare was gradually improved with the general progress of civilization. The Carthaginians, inheriting all the commercial skill of their Phœnician ancestors, were stimulated to new enterprise by their condition as colonists in a novel and growing region. Removed too from the extremity of the Mediterranean to the neighborhood of its mouth, they were no longer willing to remain circumscribed within its narrow limits, but stood boldly out beyond the *Ne Plus Ultra* of less adventurous voyagers, carrying their commercial enterprises to the extremities of Europe and Africa. As in all other countries the developement of their military marine kept pace with the commercial one, of which it was the natural and necessary protector; and Carthage, monopolizing the maritime trade of the world, pretended, like her modern representative in pursuits and character, to the exclusive dominion of the common highway. To support these pretensions, a formidable and well-equipped navy was constantly maintained; and we may accordingly look to the most flourishing era of Carthaginian history for the perfection of naval war, as it existed among the ancients.

The galley was the form of vessel used for war. It was long, low, and narrow, having space for the arrangement of many rowers, whilst it offered little resistance in dividing the water. Thus the Carthaginian *triremes* were usually one hundred feet long, by only ten broad, and seven high. The prow either curved gracefully, or was formed into the image of some ferocious beast. It was always sharp, and armed with metal to cleave the side of an adversary, and often had a projecting weapon, like a ploughshare, beneath the surface of the water, to pierce the bottom. On the summit of the prow stood the emblem; on the Athenian galleys it was an owl, on the Phœnician and Carthaginian, a cock. Here also floated the distinguishing pendant. The stern was no less sharp than the bow, curving gracefully upward so as to overhang the poop, and sometimes presented the figure of a shield. Below it stood the *tutela*, representing the deity, patron of the ship, to which prayers and sacrifices were offered, and which was held so sacred, as to afford a sanctuary to those who took refuge there. Nor was exterior ornament neglected in the galley; paint and gilding were profusely used, and gods and animals represented on the outside. The locomotive means of the galley consisted in sails, which, with their masts, were taken down at pleasure;

and in oars, which constituted the main dependence. These were arranged in rows ascending above each other, to the number of three; for though we read of *quinquiremes*, *octoremes*, up even to thirty and forty, this cannot mean distinct banks, but probably divisions; for the length of the oar, increasing for each ascending bank, must have been already unwieldy in the upper row of a *trireme*. The oars ascended diagonally above each other; the bench of one rower furnishing the footstool for the one immediately above and behind him, Each bank of rowers had its distinct name and class; the higher ones received most pay; for in addition to their being stouter men, it was necessary to load the handles of their oars, in order to counterbalance the increased length of the portion without, which the narrowness of the galley did not admit of doing by a corresponding length of *loom*. A large oar from either quarter changed the direction of the galley at the pleasure of the pilot. The officers and men, by whom the vessel was thus propelled and guided, were entirely distinct from those who fought. These were heavy-armed soldiers, trained to sea service, who stood drawn up in battle-array upon the deck which covered the rowers.

In preparing for battle, the galleys were disburthened of all unnecessary articles, the sails and masts were taken down and stowed, and the oars alone used, so as to move, turn, and assail, without reference to the prevailing wind. The fleet was then formed into a triangle, pointing towards the enemy, the store-ships forming the base, and the admiral-ship being at the angle in advance. This being done, the chief, entering a boat, passed from galley to galley, encouraging his followers in a set speech. When he had returned to his own, a gilded shield or a blood-red banner was conspicuously displayed as a signal for the onset. As the opposite fleets now approached by the exertions of the rowers, the shrill trumpets animated the soldiers by their blasts, as they passively awaited their moment for exertion, invoking the gods, and singing a pæan to the lord of battles. The admirals being in advance, first came in contact, each endeavoring, by celerity of movement, to break the oars of his adversary, and pierce his side with his beak, so as to sink or overturn him; darts, javelins, and stones were hurled; when nigh enough, the soldiers thrust at and transfixed each other with their spears of twenty cubits, or plied their battering-rams against the sides; huge pieces of iron (called *dolphins*, from

being cast in the form of that fish,) were projected from the top of the mast, so as to pass through the deck and bottom; fire-ships, filled with pitch and brimstone, were sent among the adverse fleet, or pots of combustibles were cast aboard, until at length, ship grappling ship, the soldiers fought foot to foot and hand to hand with sword and buckler. The battle being decided, the victorious fleet returned to port, towing its prizes, and hung round with pieces of the wrecks; the conquerors, crowned with wreaths, entered the port shouting and singing pæans to Apollo. The choice of the spoil was piously set apart as an offering to the gods; wrecks and entire galleys were placed at the porticos of the temples, and, to commemorate the event, the beaks of others were raised upon the tops of columns.

Naval war underwent but slight variation until the Romans, urged by their contest with Carthage for the possession of Sicily, first turned their attention to the creation of a marine. It is a singular instance of national greatness and magnanimity, that, when without a ship, and totally ignorant of maritime affairs, the Romans should have meditated a contention for the dominion of the seas. A Carthaginian galley, opportunely cast upon their shore, furnished them with a model; and, for want of better sailors, a sufficient number were hastily *manufactured*, while the galleys were building, by means of benches placed upon the land, where the rowers were trained to the use of the oar. The galleys being complete, the rowers were embarked and further exercised in port; and then the soldiers were taken on board, and the fleet set sail. And now, to do away with the vast disparity between his own motley crew and a thoroughly practised enemy, the Consul Duillius resorted to an expedient which brought about a partial revolution in naval warfare. He caused a plank bridge to be so suspended from the mast of each galley, that, by loosening a cord, it could be let fall at pleasure on board of an adjoining vessel; where the spikes at the bottom, and grapnels attached to it, held it immovably fixed. This was the origin and character of the *corvus;* the result will show its use. The adverse fleets came in sight off Sicily, and the Carthaginians, flattered by the comparison between their own trim ships and the clumsily built and worse manœuvred galleys of the Romans, were filled with the happiest anticipations. As they drew nigher, the lumbering appendage at the mast, hitherto the object of derision, be-

gan to excite distrust. This grew stronger when they found that, instead of pausing to send off their missiles, the Romans, concealed behind their curtain of hides, urged boldly on until each galley had struck an adversary, when the *corvus* was let fall with terrible force upon the deck, crushing and transfixing those who had gathered to defend the entrance. The two galleys being thus connected as by a bridge, the Romans rushed boldly to the assault, covering their bodies with their shields. The skill of the Carthaginians was completely neutralized, while their previous confidence was exchanged for consternation; the Roman soldiers, on the contrary, fighting as on land, deserved and won the victory.

Little modification took place in this system of naval warfare until the introduction of cannon. The navies of the Eastern empire continued to consist of galleys, now reduced to *dromones*, having two tiers of fifty oars, making in all one hundred, rowed by as many men. Signals had been introduced to convey orders when out of hearing, and the line of battle was changed from a triangle to a crescent, of which the horns pointed rearward. The admirals, remaining in the centre, continued to head the encounter. The weapons, of annoyance were still bows and arrows, engines discharging javelins with terrible force, as well as huge rocks, a single one of which was often fatal to a galley and her crew. But the most destructive machine then used was the iron tube which each galley carried on her bow, and from which the *Greek fire* was projected in a constant stream upon the enemy, kindling a blaze which water made but more furious, and scattering a horrible death, to which the sea offered no alternative.* Though the assault of the beak remained in use, it was more common to grapple at once, so as to escape the terrible range of the fire-tube, and lie broadside to broadside; thus attached, whilst the rowers transfixed each other with lances through their row-locks, the soldiers fought with such desperation, that often none remained to claim the victory.

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* The *Greek fire* has been lately rediscovered by our countryman, Mr Brown. He discharges it, like water from an ordinary engine, through a leathern hose terminating in a tube of metal; and from its resinous and adhesive quality, he projects it to a much greater distance. The moment the stream emerges into the open air, it is kindled by a match affixed to the end of the tube, and converted into a liquid fire of a destructive activity, nowise inferior to that described by the ancients.

The revolution in naval war produced by the introduction of cannon, though not immediate, was eventually greater than upon land. They were first used by the Venetians, who mounted them on the deck of their galleys, either pointed over the rail, or through port-holes pierced through the bulwarks. In the *galea*, which was first used at the battle of Lepanto, a row of small cannon was pointed between different divisions of the oars, while the heavier pieces were arranged upon the poop and forecastle. Notwithstanding the efficacy of cannon to destroy such frail fortresses as ships that a single shot might deliver over to the lurking enemy on whose bosom they reposed, yet, perhaps because their adaptation was at first imperfect, we do not find that they immediately became the chief means of annoyance in naval engagements. At Lepanto we see Don Juan and Ali, the rival admirals, after a short cannonade, rushing to the encounter, grappling ship to ship, and fighting with bows and arrows, firelocks, swords, attaghans, pikes, and battle-axes. The Christians prepared for the *melée* by such defensive armor as mail and helmet, and the Turks covered their bodies with huge leathern shields. At length, as the adaptation of cannon to ships of war became more complete, this means of annoyance grew more prominent, and was made the arbiter of almost every battle. Ships of war, too, had increased so greatly in size, that it became dangerous to both parties to come in contact, lest the weight and mass of each, moving independently, should cause an exchange of shocks which might send both to the bottom. Moreover, the fashion of causing ships to *tumble in*, made the distance so great between the upper sides, at the moment when their bodies were in contact below, as greatly to increase the difficulty of boarding. From all these reasons the contact of ships and hand-to-hand fighting, which made the ancient sea-fights so fatal to life, were exchanged for battering at a distance, until one ship should be made leaky and ready to sink, or have her guns dismounted, or else be so crippled in her spars as to remain at the mercy of her antagonist. Thus the destructive efforts of the ancient mode of naval warfare were chiefly directed against the lives of the combatants, whilst in modern times they are chiefly exerted to destroy or disable the ship. Cannon having become the great destructive agent of ships of war, their relative powers were thenceforth determined by the number and calibre of their respective batteries. These de-

pending in turn upon the size and capacity of the ships, led to their progressive enlargement, until we find the sea groaning under the weight of huge wooden masses, carrying their two, three, and even four tiers of cannon. The oar, moved by the muscular energies of man, was of course powerless to propel the vast machine which had thus taken the place of the galley, and it therefore only remained, by the adaptation of sails, to render available the agent furnished by nature, in a restless and ever-moving element.

When two adverse ships meet in modern times, each manœuvres to obtain the weather-gage, if chance should not already have decided it before coming in sight. The advantage in being to windward is manifold; in the first place, it enables the weaker ship, if not to escape immediately by superior sailing, at least to keep out of action until favored by the intervention of night, or by the many chances of the ocean; in the second, it enables the stronger ship to direct its course at once upon the weaker, with the best possible chance of capture; and lastly, in the case of equal ships, the one having the weather-gage goes into action with a decided advantage. The ship to windward can at pleasure bear down to board, or cross the bow or stern of her adversary to rake her decks; moreover, being careened towards her adversary, she receives her shot far above the ordinary water-line. On the other hand, the leeward ship, presenting her broadside far below the ordinary water-line, should she receive a shot there, the wound would be brought below the surface in the event of the tack being changed, or the ship, by a diminution of wind or of sail, being brought on an even keel; moreover, the leeward ship is not only incommoded with its own smoke, but with that of its adversary.

Having determined to fight, a very few minutes serve to clear a ship for action. So soon as drum and fife have pealed forth the well-known alarm, all repair to quarters; the guns are loosed, the magazines opened, the decks wet and sanded, and fire-tubs filled with water; additional shot and wads are brought from below, the yards hung in chains, and the sheets stoppered, lest they should be shot away; the pumps are rigged, and shot-plugs and fishes for strengthening wounded spars are made ready; loaded muskets and pistols, swords, pikes, and tomahawks are placed in readiness to board or repel boarders. All being at their stations, and everything prepared, the ships approach

under easy sail, and the battle begins. Round shot are fired low so as to pierce the hull near the water-line, or at the body of the ship, to disable the guns and kill the men who manœuvre there; grape and double-headed shot are directed at the gangways and body of the ship to destroy life, and at the spars and rigging to bring them down and cripple the evolutions of an antagonist. Thus the fight continues until one party being ready to sink from shot-holes between wind and water, or being incapable of further resistance from the disabling of guns, or slaughter of crew, and from loss of spars equally incapable of escape, is compelled to yield. Sometimes, indeed, when thus situated, boarding and a sudden effort of desperate valor may retrieve the worst situation, and render the vanquished victorious. But in order to effect this, the party having the worst must be to windward, so as to bear down and grapple. At this critical moment the boarders are called up, by sound of trumpet or the clatter of rattles, and, seizing their weapons, leap upon the deck of the enemy, where, as in storming a fortress, or as in the ancient sea-fights, individual courage and prowess may decide the victory.

In the encounter of fleets, as of single ships, the weather-gage is esteemed an advantage. Drawn up in columns, they engage ship to ship, conquering by superiority of numbers, of evolutions, or of fire. Instead of engaging line to line, sometimes the enemy's array is broken, and his ships cut off and overpowered in sections, while some are too distant to take part in the conflict. It was by this manœuvre, skilfully devised and boldly executed, that Nelson and Collingwood decided the battle of Trafalgar.

Among the naval powers of the present day, Britain claims the preëminence; a preëminence founded on vast national resources, from which the government supplies itself at the call of vanity or ambition; and upon an extended commerce, covering every ocean and every sea, and furnishing employment to thousands of hardy seamen, who are forced at pleasure into the public service. The next marine in point of force and numbers is that of France. The great population and resources of that nation, and the extent of coast by which she is nearly surrounded, naturally adapt her to make a brilliant display of naval power. But her mercantile marine, the only true foundation of a military one, has been so crippled and kept under by the superior force and grasping character

of her neighbor, that the large navy which she now possesses rather results from the determination of government to create one, than from the character and immediate interests of the nation. Spain, though even more adapted than Britain, by the happy union of great internal and external resources and means of developement, to excel as a maritime power, and though but half a century since she was second only to the mistress of the seas, may now, thanks to the withering extension of priestcraft and despotism, eating like a cancer at the core of her greatness, be said to possess no marine whatever. Russia, with little commerce, is yet not without a formidable fleet, which, called into existence by the ambition of her emperors, may increase in power and rest on a more natural foundation, should she, while developement is going on within, gain an extent of coast on the Mediterranean, and add the Greek seamen to the number of her subjects. Holland is still prominent among naval powers, excelling as formerly in the number and excellence of her ships, and in the skill, experience, and courage of her seamen. She owes her present comparative insignificance more to the developement of her neighbors than to her own deterioration.

This brief view would have included, a few years since, all the maritime nations of the earth. But in the mean time a nation has sprung up in another hemisphere, destined ere long to become the chief of naval powers; we speak of this western world, and our own happy Union. Already is our commercial marine second only to that of Britain; already do her statesmen calculate the time that must elapse before we can equal her; already do they point to the period when the sceptre of the seas shall depart from the hand that has so long wielded it in the spirit of tyranny and exclusion. It is true that not only Britain, but several minor powers, exceed us in number and force of ships; but as in every nation the commercial marine is the true and only foundation of the military marine, so the extent of the one is the only true measure of the other. The sinews and muscles of naval war are not the less our own that we do not exercise them; when it shall be necessary to strike the blow, their force will assert itself. But it is not enough that the pugilist should have strength of body, nor does it suffice that we possess the elements of naval power. They must be developed, concentrated, organized. Our merchant ships visit every corner of the world where there is

water to float them, and our ships of war must follow to lend them protection, and enable them to pursue their occupations in peace. A dozen ships of the line, displaying the American ensign in the British Channel, would have protected our trade from belligerent spoliation, and saved us from the check which our national progress received, and the heavy debt which we contracted in the late war. We are, however, indebted to that event for calling into existence the navy which we now possess. The few ships which we sent to sea at its commencement accomplished, indeed, more than could have been expected from so inconsiderable a force, and fairly fought their way into the public favor. Their astonishing speed, and the active energy of their commanders, enabled them to harrass the enemy in every sea; and, aided by a discipline never before equalled in any naval service, when they met an enemy of equal, or even slightly superior force, they were able to thunder forth their fire with a precision and rapidity that rendered a naval battle the affair of minutes instead of hours. Since the war, we have added gradually to the number of our ships, until now we could put to sea at short notice with a dozen ships of the line, the largest, noblest, and most efficient that ever went into battle. This is not merely an American conceit, but the acknowledgment of the whole world. We have preserved the exterior proportions of the most beautiful class of vessels in our ships of the line, which, while they present the level side, uniform outline, and perfect symmetry of frigates, for which they are often mistaken at sea, yet threaten an enemy with batteries of one hundred guns of a calibre hitherto unknown upon the ocean. We see no room for improvement in this important class of our ships, should there not soon occur another era in naval war, by the introduction of a new agent more destructive than any now in use. We have not been so successful in the frigates and sloops which we have constructed since the war, as in our ships of the line. New models have been introduced with a view to improvement, and the result is, that while the best of the new frigates and corvettes are in no particular superior to the old ones, many of them are decidedly inferior in speed and beauty. We speak of beauty as an advantage, and we consider it so without doubt; for, independently of the fact that good looks and good qualities are almost invariably found together in ships, that at-

tachment of officers to the vessel they sail in, which is so desirable, depends in no slight degree upon her beauty.

The era to which we allude, as capable of changing the system of naval war, and setting aside our ships of the line, is the introduction of bomb-cannon, or the practice of projecting bombs horizontally. It has been discovered that shells, or hollow shot charged with combustible matter, may with perfect ease be projected in a right line from ordinary cannon, and that consequently they may not only be successfully used from the land against ships, which the difficulty of striking when projected in a curve before prevented, but also in the ordinary naval battle between ship and ship. The frail character of these floating castles, too, renders them peculiarly assailable by this means of destruction. Experiments have been tried in various countries, and especially in France, to prove the practicability of this new mode, and the results, so far as we are acquainted with them, threaten the overthrow of the present method of naval warfare. Hollow shot, charged with combustibles, were fired from ordinary cannon into masses of timber bound more securely together than the most solid ship, and they were rent to pieces. Hulks prepared for the purpose were attacked in the same manner; when the shell failed to explode, it produced the same injury as an ordinary shot; if it entered a mast and there exploded, it shivered and overturned it with its whole system of yards and rigging; if it came through the side and lodged upon deck, its explosion scattered smoke, fire, and destruction on every side; if it lodged in the side and there exploded, the rent opened, if near the water, was such as to cause inevitable sinking. These facts, thus determined, have led naturally enough to various speculations as to the means of meeting the danger. There are two sides to a question of fighting, as to every other question; and when efficacious means of destruction have been invented, it next becomes necessary to devise preventive means to obviate them. In this spirit we remember to have seen, several years ago, an article in a French Review, in which the practicability was gravely discussed of defending ships from shells and shot of every kind, by means of bands of iron nailed upon the whole exterior surface. Should this idea be realized, ships of war would become so many cuirassiers afloat. We would suggest to the attention of the speculative, that since shot are harmless when they strike even a wooden surface at

a certain angle, ships of war, instead of being wall-sided, might be made to *tumble out*, and continue increasing in beam from the surface of the water upwards, so as to give to their sides the angle that would deflect a cannon-ball. This would be the more feasible, if, as has been suggested by the speculators on the subject, the introduction of bomb-cannon should cause the abandonment of large ships, and the substitution of smaller ones; for, whilst a ship of the line offers many times the surface for attack that a sloop or a schooner does, her increased means of annoyance are not proportionate; ten bombs lodged in the side of a ship being as efficacious for her destruction as a hundred, a ship carrying ten guns becomes as formidable as one mounting ten times ten.

What we give here is only the result of experiments upon the other side of the ocean. We should like much to know if anything has been done upon this side. If the same experiments have produced the same results here, and proved conclusive as to an approaching change in naval war, would it not be the part of wisdom, instead of multiplying expensive constructions connected with an exploded or obsolescent system, to be beforehand, not only in introducing the new engine, but in preparing to meet and resist it? The advantage will attach to the first nation that adopts it, in the event of war; but cannot long remain peculiar. If the plea of humanity be in the way of its adoption, we answer, with the history of all ages to support us, that naval war has become less fatal to life as the means of destruction have become more effective and formidable. The slain at Salamis were more than those of Lepanto, and this last battle counted alone many times the added victims of the Nile, of Trafalgar, and Navarino. Besides, what has humanity to do with warfare? Is it from humanity that we mount guns of the heaviest possible calibre, from which we are prepared to shower round shot, grape, and canister,—that we wield muskets, pistols, pikes, cutlasses, and tomahawks? Why did we so strive, during the last war, to excel in rapidity of fire? And what, in fact, is any and every naval battle but a trial of powers of destruction? With us, indeed, the cause of resistance is the cause of humanity. Whatever may be the character of other governments, the genius of ours forbids any but a defensive war; and self-defence, among nations as among individuals, is equally legitimate and praiseworthy.

But to return to our ships; admitting their organization to be perfect, that of the officers and crews who sail them admits of great melioration. To begin aft, as in duty bound, the first and most glaring defect that our system offers, is the want of the higher ranks found necessary in other countries in every warlike force, whether naval or military. It does not require any familiarity with discipline either ashore or afloat, to conceive how different may be the tardy and reluctant compliance conceded by one captain to another, temporarily placed over him, but hereafter to become his equal, from his unhesitating and earnest obedience yielded to a General or Admiral. In every military corps, indeed, we find a respect, an awe, an unqualified submission, shown to rank, which is not always accorded to age, talents, and experience. This element of subordination is carefully cherished in the constitution of our army, where there are ranks suited to every degree of responsibility, and where, moreover, although the Secretary of War be usually himself a military man of more or less experience, his deliberations are shared by a Major General, who, after ascending the various gradations of his profession, at length finds himself at its head; from that eminence he can look down and survey the whole, with an eye familiar with the wants, capacities, and feelings of his charge. If this variety of ranks, and this supervision of a commander-in-chief be found necessary to the well-being of a land force, we do not see how the like can be dispensed with in a naval force, whose system can scarce be appreciated by a landsman, necessarily ignorant of the *matériel* and *personnel* of his charge, and of all its complicated relations. We consider this question simply in its connexion with the efficiency of the navy, and with the public welfare of which this is the barrier. We lay no stress on the embarrassment and humiliation our commanders sustain on foreign stations, where they often come in contact with men of superior rank in command of inferior forces; nor of the crying injustice of allowing the faithful officer, after attaining the modest rank of captain in the prime of life, there to come to anchor and grow gray, until those who commenced their career under him as school-boy midshipmen, shall have reached the same station and become his equals. Yet we do find some difficulty in accounting for this defect of our naval system, when we remember that the proper policy is not only understood, but adopted even in the organization of our militia,

where our worthy legislators, making the case their own, evince no reluctance to receive much higher rank, and wear habitually and with complacence far more sonorous titles, than those which they so jealously withhold from the navy.

In descending to the subordinate officers, we think that we can still discover a want of proper gradations. To prove this we will simply instance the fact, that the first lieutenant of a large ship, who has been fifteen or twenty years in service, is nowise superior in rank, emoluments, and consideration to the youngest lieutenant of a schooner, whose term of service may be but half as long. It can scarce be necessary to prove, that the situation of the first requires greater qualifications, and involves higher responsibilities, or that his age and wants merit a higher rank and increased salary. We are aware, indeed, that the naval officer, devoting himself,—mind, character, health, and life, to serve his country, must abandon all hope of hereafter forming those tender ties to which nature prompts, and which are the only preservative for virtue; or, if betrayed into the imprudence of matrimony, be content to descend to a humiliating parsimony, which is yet no protection from poverty and discomfort. But we do contend, that, if a young man enters the navy, high in hope, without any view to sordid considerations, and with the future alternative not fairly before him, it is neither worthy nor becoming a great nation, when it finds its noblest youths thus entrapped into its service, and unfitted for other employment, to profit by the advantage, and withhold from them even a younger brother's portion of that competence which their talents and industry would have secured to them in any other walk of life. Deficiency of salary, though common to most of the ranks in the navy, bears harder, however, upon the superior officers, especially the masters commandant, than upon the older lieutenants. We think, however, it is sufficiently obvious among these last to require two gradations of lieutenants; those of the inferior one being called sub-lieutenants or ensigns. These could do the duties of lieutenant in the smaller vessels, and of sailing-masters in all. The rank of masters should be allowed to extinguish itself. Few of our commanders receive willingly on board their ships any other masters than *passed* midshipmen, temporarily appointed to the station; well aware, as they are, that men taken from the command of merchant ships are, through age, habits, and education, ill calculated to harmonize with the

regular officers. One important advantage of having the duties of master filled by officers in the line of promotion, is, that they are very improving, and calculated to cherish science among those who perform them. The establishment of the intermediate gradation of ensigns, too, by multiplying promotions, would diminish the present tedious probations of midshipmen, and tend to keep hope and ambition alive in the pursuit of a toilsome career. We can, however, give no reason so potent for the creation of this rank, as the fact that it already exists in the present practice of giving increased pay and additional buttons to *passed* midshipmen, whereby they are invested with a sort of mongrel promotion. Much as we think this intermediate rank required, we do not see that positive necessity for it which exists for the creation of the higher ranks.

Of the various classes of officers into which our navy divides itself, there is none, however, that so urgently recommends itself to the solicitude of the country as that of midshipmen. It may be further said, that none can, by future results, so well reward the solicitude that may be bestowed upon it. The habits and characters of the older officers are already formed, and will admit only of slight modification; but midshipmen may be modified at pleasure. According to the existing system, their only education beyond the mere reading and writing they have learned of the school-madam, is picked up on board, so that if they acquire anything in addition to the mere practice of the profession, it is owing, in the first place, to their own zeal and desire of improvement, and, as they grow older and draw nigh the term of their probation, to the terrors of an approaching examination. Some may say that the practice of the profession is enough, and instance sundry hard fighters, who have known no more, to prove it. But our most meritorious officers, of every rank, are not of this opinion; and accordingly we find them acquainting themselves with the laws of nations, mastering the languages of those countries which they most frequently visit, and cultivating a taste for the sciences, and the study of that nature which presents herself to them in so many various and imposing forms. But all these acquisitions are made in the face of every disadvantage. Study is prosecuted without system; the best works are either unknown or are procured with difficulty; and the habit of application and fixed attention, the most valuable of

all habits, the very root of all excellence, cannot well be formed except in youth, when mind and character are alike flexible. This youth is now spent on ship-board, and its best days, the days of aptness and docility, usually consecrated to education, are idly wasted, or, at best, employed in acquiring that practical knowledge, which would be of infinitely easier attainment were a foundation laid, and the mind matured by years and study. Often those generous impulses, which, if directed aright, might lead to the most brilliant results, left to themselves, or at best unwholesomely restrained, run riot until mind and character are perverted, and the hopes of affection and patriotism drowned in debauchery. We see but one measure adapted to remove the evil and attain the good, a measure, which, though longed for by the navy, desired by the nation to which it is so justly dear, and again and again urged upon Congress by executive recommendation, yet from the intricacies of parliamentary proceedings, the clashings of party interests, or some other sufficient cause, is still unhappily a *desideratum*.

We speak of a preparatory school for the navy, such as the army possesses in the Academy at West Point. The motives for establishing the one are not inferior to those which long since called the other into existence. Naval affairs are not less distinct from the ordinary pursuits of life than military affairs, and therefore we cannot discover why those, who are to make them a profession, should less need a specially adapted education. And if it be admitted that a preparatory education is as necessary to qualify a youth to become a distinguished naval officer, as to excel as a soldier, it will not be denied that high qualifications in the former are not less essential to the safety, honor, and reputation of our country. In time of war the navy is to fight our battles, to meet the danger at a distance upon the deep, and preserve our shores from the foot of the invader; surely the navy should not merely be brave, but skilled in all the arts and resources that decide the fate of battles; versed not only in whatever theory may suggest, but acquainted with all the expedients that have ever been resorted to in extremity of peril by the naval heroes of ancient and modern times. In seasons of peace, our friendly relations with the greatest powers of the earth are in no slight degree entrusted to the keeping of our naval commanders; for it is only on the common highway that we come in contact with

each other, and it is there that our interests and honor are most often brought into collision. No one, then, can deny that the happiness of our country is as much entrusted to the safeguard of the navy as to the officers of the army, whose most important functions go no farther than to keep the peace with the wandering tribes, whom we continue driving before us into the wilderness. At all times our ships of war are the representatives of our country in every quarter of the globe; it is chiefly by the worth, by the intelligence, and by the courtesy of their officers, that an estimate can in those distant regions be formed of the nation that sends them forth. Surely, then, our national honor, and the consideration in which we are held by other countries, that consideration concerning which we are so sensitive, and which, however condemned by some, proves a strong motive to excellence, are not less entrusted to the keeping of our naval officers, who visit every region, than to our soldiers, who are only seen by those who, coming among us, have the whole nation before them. It is not our object to draw invidious comparisons, with a view to undervalue the Military Academy; we desire not to depreciate the army, but to vindicate the navy. Instead of restricting the efforts of that noble institution, we would willingly see the most practical and perfect education in America extended to a double number of our youths, who should convey the seeds of science to every corner of the republic.

Our ideas of a Naval Academy are, that it should be established in some healthy, isolated situation, with the sea in sight, and constant opportunities of witnessing the manœuvres of arriving and departing ships. The age of admission might be twelve years, and the term of service four years, making the youths sixteen at the time of graduation; at this age, with their previous training, they would be able to serve some better purpose on ship-board than that of play-things for the older officers. The system of discipline should be rigid, yet paternal, under the superintendence of a most carefully selected officer. Mathematics would of course form the groundwork of their education; but we would not urge its pursuit beyond the point necessary to render intelligible the various problems of nautical astronomy; upon this would afterwards be raised the superstructure of physics, astronomy, navigation, surveying, naval architecture, and the theory of working ships. In connexion with these more solid studies, a knowledge of his-

tory, of the laws of nations, and of the rules of composition, should be acquired. The French and Spanish languages should be thoroughly taught by natives, and the more advanced classes should be able to understand lectures in both languages. An infusion of young men of French and Spanish parentage, from Louisiana and the Floridas, would greatly facilitate this most necessary acquisition. Drawing would be a highly useful accomplishment to naval officers. As for general literature, we would leave them to acquaint themselves with it hereafter, during the abundant leisure of their future profession, doing no more to cherish a taste for it than to provide a well-selected library, in which travels, naval chronicles, and whatever relates to the sea should not be forgotten, and from which all idle books of a sickly and demoralizing character, such as form the chief mental nutriment of modern readers, should be most carefully excluded.

Nor would we be satisfied, as in most seminaries, with merely training the mind; we would bestow equal care upon the unfolding of the bodily powers, and strive to send each aspirer forth a perfect Lacedemonian. No young man should wear a sword until he could wield it to some purpose in defence of life or honor. The chief of our exercises, however, would be found in the manœuvres of a small ship; not moored in the mountains, as at Angoulême, nor planted upon dry land, or rather on the tops of trees, as at Amsterdam; but a real, moving, live little ship, that could lift her anchor and sail away at will. In such a ship, reefing, furling, steering, and all the manipulation should be performed by the lads themselves. Each class should have its proper station; the junior class should do the hauling and deck-work; the next would know enough to become topmen; those who should have served a year longer would fill the stations of forecastlemen, petty officers, and helmsmen; the senior class, having learned a lesson of obedience and subordination in each succeeding gradation, would now in turn exact equal deference in the character of officers, and be stationed in various parts of the ship, each directing the efforts of his more youthful and less experienced gang; while one of this number would in rotation be invested with the command of the whole, under the ever-watchful eye of the superintendent. An allotted portion of every fine day might be employed in stripping or rigging ship, or in reefing and furling; one day in

each week should be exclusively appropriated to a cruise round the harbor.

During at least one entire month of every year, we would set the whole school free from study, and keep the lads constantly embarked, organized, and stationed for evolutions and for battle, like the crew of a regular cruiser. In this interval we would not merely have them reconnoitre the coast, and become pilots, but brave the ocean, visit various ports, and penetrate our noble rivers. We would not deny them the cordial attentions, which their proud and admiring countrymen would hasten to tender to them, wherever they appeared; and we can conceive no vacation so delightfully spent as would be this of our young aspirants after naval glory. Seamanship, taught in the way that we thus suggest, would be taught most thoroughly; nothing would be left to accident, or individual ambition and desire of excellence, but every youth would be forced to become a seaman and an officer. We can see no reason for withholding the institution, which justice, not less to the navy than to the nation, claims from our legislators, but the plea of economy. To remove this, we would suggest that the lads should be clothed and rationed upon a regular system, at the public expense; parents would be happy enough to procure their children such an education on any terms, and as for the boys, they are quite as well without money. We might find another source of economy in abolishing the expensive examinations, which now furnish a poor substitute for preparatory education.

It has been suggested that, in the event of our having a naval academy, an observatory, for which we already possess the necessary instruments, should be connected with it, and the professors be constituted a board of longitude. The suggestion is an admirable one, and we would improve it by the additional idea, that the institution should contain a hydrographical *dépôt*, for the collection and collation of charts, and for procuring, by correspondence with navigators, naval and mercantile, whatever information might conduce to perfect a knowledge of the coasts and waters of the navigable world. Science gains by concentration, and the neighborhood of such pursuits would greatly tend to raise the standard of scientific excellence among the students of the academy. The nation which holds the second rank for extent of commerce and navigation, should not depend entirely for the most necessary calculations upon one that

is already her rival, and may again become her enemy; nor be the only one to do nothing to improve nautical science, and diminish the dangers of the deep. Pride and policy alike forbid it.

When our navy shall be supplied with officers from an institution such as has been suggested, we may confidently look for some new accessions to the honorable reputation which it has already obtained for itself. One of the greatest benefits it would confer, would be found in the probation of mind and character which would take place at the academy, whereby those who are disqualified would be purged from the profession, and, instead of going on disgracing themselves as midshipmen, lieutenants, and superior officers, be arrested at the very threshold. The seeds of good being thus sown, and our young men thus prepared to run an honorable career, much might still be done after they entered upon the active exercise of the profession, by the care and solicitude of the commanders. We think there might be more sympathy between the commander and his officers. Especially do we think there should be, as we know there often is, something paternal in the government over the midshipmen. We think that every opportunity of improvement should be thrown in their way, by not only allowing them to visit the ports where their ship may be anchored, but encouraging them to make excursions into the interior, and bring away more definite ideas of national manners and customs than can be gathered in a visit of a few hours to the shore, the chief of which time is usually spent in the billiard-room. It is in the power of every commander to introduce his officers, everywhere, to the best society, and we can conceive no way so effectual of diverting them from destructive dissipation. The author of the 'Naval Sketches' speaks very sensibly on this subject, in describing the occupations of our officers during their yearly wintering at Minorca.

Before we take leave of that part of our naval system which applies to the officers, we will avail ourselves of the occasion to express a few opinions upon the subject of their uniform. In all military corps, one of the most efficacious means for the support of discipline and concerted action, is a uniformity of dress. Harmonious appearance and the mere gratification of the eye are not its only advantages. It furnishes the means of distinguishing a peculiar class of men from all others, and, by preventing them from withdrawing themselves from the observation of their superiors, greatly increases their sense of amena-

bleness. It abets the authority of those who order, and rivets the subservience of those who obey. The great essentials of a uniform dress we take to be perfect and decided uniformity, in connexion with plainness, cheapness, neatness, and durability. These essentials are in no particular attained by the present system. Our officers have now a dress so expensive and gaudy, and in such bad taste, that they are ashamed to wear it; and an undress, that is no dress at all. Both being lawful to be worn, some choose the one, and some the other, according to individual fancy; whilst others compromise matters by adopting a mean between both. Thus, a laced hat may sometimes be seen in connexion with a rolling-collared coat, nowise different from those worn by our citizens, except in a profusion of buttons. In fact, the undress naval uniform is a uniform exclusively of buttons; and nothing is more common than to see a coat, which has already done its owner good service in his peaceful character of citizen, during the interval of his cruises, by the aid of a few pounds of brass, transformed suddenly, upon the arrival of an order from Washington, into as pugnacious a campaigner as ever paraded a quarter-deck. The fashion of such an old servant, its velvet collar, or fan-tail skirt, can no more than its faithful service save it from conscription.

We think that there should be one only uniform; which, whilst it should be characteristic and decided, should be at once neat, plain, cheap, and durable, entirely free from all lace and tinsel, to glitter for a week, and then look dim and tarnished during the rest of the cruise. With this view, we suggest the substitution of a single-breasted coat of green or blue, to be worn buttoned in front, and free from cuffs, pocket-flaps, and other excrescences; a pantaloon of the same for winter, and of white for summer. The coat might be lined with buff or scarlet, and a rib of the same be carried down the outside seam of the pantaloon.* To these should be added half-boots, a plain cocked-hat, and a stout sword, for use as well as show, made

* The two colors being equal in other respects, we should prefer the green, because it is not worn by the navy of any other nation, and would, therefore, be more characteristic. We may perhaps owe our readers an apology for thus marring the dignity of the critic page with a dissertation upon buttons and broadcloth; but stateliness, grandiloquism, and generalization would be alike thrown away upon such a subject, and we had only to choose between not speaking at all, and speaking specifically.

on a uniform pattern at the government armories; it should be worn securely upon the hip, suspended from a concealed shoulder-strap. As for the trifling swords of every possible pattern, which now dangle at the heels of our officers, they are, in connexion with the general ignorance of their use, rather a danger than a protection. The only variation we would allow from this single uniform, should be that of round-jackets, of similar cloth and fashion to the coat, and cloth foraging-caps.

A large double-breasted fatigue surtout, of the same color, should relieve the whole family of plaid cloaks, upper benjamins, pea-jackets, and monkeys. This or some similar general system of uniform once established by order, we would compel all the officers, on all occasions, to dress in uniform or fatigues, in conformity to the temporary regulation of the commander. This authority is already exercised to produce uniformity in the appearance of the seamen, though no regulation of the service specifies their uniform; much more, then, may it be applied to the dress of the officers, whose dress is regulated, and with whom subordination should ever begin. We would have a uniform system running through the dress of the various ranks of officers, and reaching, to a certain extent, to the sailors, whose dress should also be regulated; the superior officers should be distinguished from their inferiors, less by superior glitter, than by the quality of their epaulettes, or some minute ornament, obvious rather to their own corps than to a stranger or an enemy. Nelson lost his life at Trafalgar by the conspicuousness of his uniform. We think this subject worthy of attention, not merely because it has much to do with the appearance and display of our navy; but because it might always affect its efficiency; and because a neat uniform would, among the younger officers, do much to cherish in them a love and pride of profession.

Let us now consider what room there may be for improvement in the organization of the most numerous class of our navy, the class of inferiors. In the first place, then, we consider the abolition of the marine-corps absolutely necessary to the efficiency and harmony of our ships. The marine-corps was adopted in our navy with the rest of the system which we copied from Britain, although the reason of its institution did not apply to us; it having been originally instituted in order that the officers might avail themselves of the aversion existing between the seamen and soldiers, to make themselves a bul-

wark of bayonets in the event of mutiny, so likely to result from the vexatious irksomeness of a compelled and hopeless servitude. The voluntary enrolment and regular discharge of our seamen entirely remove this danger from among us; so that we do not derive from the marine-corps the advantages which led to its institution, whilst we are fully exposed to all its inconveniences. These are manifold. In the first place, soldiers, when embarked, whilst they are more in the way than an equal number of seamen, are either of no use for the ordinary duties of the ship, or else, in becoming useful, they lose entirely their distinctive character, and cease to be more of soldiers than the seamen among whom they become mingled. Between the marine and sea officers, too, there is a perpetual discord, arising from their unnatural association. The marines carry on a continual contest of conflicting privileges, as to the command of their guard, and sometimes even endeavor to set themselves free from that law of universal subjection to the commander, which is the sole bond that keeps a naval community together. We would say, then, to avoid the great injustice of disbanding the marine-corps, and depriving its members of their profession and support, either make it an exclusive appendage of our naval stations, or else incorporate it with the army.

The marine-corps abolished, or, at least, its unnatural connexion with our ships severed, it would be easy to introduce a more perfect and harmonious organization among the crew. Nothing would be easier, if necessary, than to have all the men trained to the use of the musket, and qualified to act on shore in defence of the coast, without the danger of dispersing. But the great object of rendering them effective at sea would be perfectly attained by enlisting them for a particular ship, with the right of transfer, and in all cases for the duration of the cruise. This arrangement would save our commanders the infinite embarrassment which often results from the expiration of the term for which their crews have entered. No men are greater sticklers for the letter of the law than seamen; and when thus illegally detained beyond their time, they often become discontented, and the commander must either yield a portion of his authority, or resort to a harshness of discipline, which the circumstances render as unpleasant as it is unjust. To obviate the dread of an unlimited term of service, which might deter seamen from entering for the cruise, care should

be taken that no cruise exceed three years; a term already sufficiently prolonged. In entering a crew, we would not allow them to enter for any particular rank or wages; but would classify them according to their merits when embarked, awarding the stations of petty-officers to those who should possess recommendations for having faithfully filled those stations in other ships, and retaining the power to promote, through all the various gradations of boys, ordinary seamen, seamen, and petty-officers, according to individual merit and good behavior. We do not think that the boatswain, gunner, carpenter, and sail-maker, should be warrant officers, but entered like the rest of the crew, and equally subject to promotion and degradation. These offices are best filled by individuals temporarily appointed, and liable to removal at the pleasure of the commander; while those who have warrants, having no hope of going higher, and no immediate fear of descending lower, lose all ambition. Moreover, they would furnish to the whole crew, when within their reach, a powerful motive to emulation and excellence. Finally, we would not receive a single individual into our ships who was not a native-born American. But under the present system of discipline, and whilst there is danger of being for ever degraded by the stroke of the lash, American seamen, or, at all events, the better class of them, will not enter the service of their country. That system which deters Americans from serving their country, and forces us to receive a large proportion of foreigners as the only alternative, must be false, cannot be permanent, and, therefore, demands of legislative wisdom (we do not appeal to humanity) an immediate reformation.

Our naval system, as we have already seen, was received from Britain. Her sailors, forced into her navy like slaves, and forming at least one excepted class from the boasted spirit of universal emancipation, could of course only be controlled by the same bodily compulsion by which they were kidnapped and deprived of their liberty. Though voluntary enrolment was at once substituted among us for compulsion, the lash, which was its counterpart, was most inconsistently retained. Hence the more worthy of our seamen were excluded from the public service, except when out of employment in time of war or embargo; and of course it was compelled to supply itself from among the less scrupulous; out of whom and the foreigners, who entered extensively, a class was formed and per-

petuated of degraded individuals, who have rendered the name of man-of-war's men a stigma, and who, accustomed to obey no law but that of brute compulsion, are still kept in order only by the means of their degradation.

The navy, in point of ease of labor, quality of food, and the chance which long voyages offer for accumulation (to which sailors, however quickly they may spend their money, are not indifferent, as may be seen by their making long voyages in the merchant service, at reduced wages); the pleasures to be derived in it from a numerous society and stated leisure; its festivities, music, dancing, *esprit de corps*, pride of ship, and all its multiplied means of enjoyment, holds out strong inducements to seamen; all, however, counteracted among the less corrupt by the terrors of the lash. Take away these terrors, and our best seamen will enter in abundance. Associate with them a large number of youths, alike unimpaired in character and constitution; and these, cherished by their officers, and ambitious to excel, will soon become skilful seamen. Seamanship is incomparably more perfect in the navy, and it will, therefore, be easy to send these young men forth more perfect, than if they had been reared in the merchant service. Hence, then, instead of being indebted to the merchant service for seamen, whom we send back corrupted, and only susceptible of being kept in order by naval discipline, to mutiny, and cause the miscarriage of voyages, we should furnish it with seamen equally distinguished for skill and habits of subordination.

We agree with the author of the 'Naval Sketches,' in condemning the daily issue of ardent spirits as part of the naval ration. A whole crew, without reference to previous habits or individual constitution, learns to swallow the poisonous dose. We can indeed conceive no idea more shocking, than that grave legislators should have thus set their names to a law, whose sole effect is the promotion of intemperance. There is no truth in the idea that grog is a bounty for enlistment; it is only a bounty to those whom it would be desirable to exclude from the service. In merchant ships, where our best seamen are found, the issue of grog is unusual. Grog, in a man-of-war, is a sufficient source of all discord and of every crime; while grog continues to be drunk there, the sound of the lash and a shriek of the tortured and degraded victims will continue to reverberate through our ships. We agree farther with him in believing that much advantage might be derived from the cul-

tivation of the moral character of seamen; and one can, indeed, see no sufficient reason why a ship of war, instead of being a school of ignorance and vice, might not offer a spectacle of intelligence, good order, and morality. We are aware, that in every system of government there will be crimes, and, consequently, that there must be punishments; but what prevents those punishments which are found efficacious ashore, from being equally efficacious afloat? and why might not the hope of reward furnish as strong an excitement to good conduct as the fear of punishment? Be it as it may, substitute whatever punishments you please, even death itself, but let corporal punishments cease henceforth and for ever from among us. With our seamen, as with our children, let us leave them to that nation in which everything is complicated, factitious, unnatural; let it not be said that, while Frenchmen, bowing to the nod of their Emperor, were able to conquer the world by the aid of moral incitements, Americans cannot defend their country but by the impulse of the lash!

ART. VI.—*Elements of Geometry, with Practical Applications for the Use of Schools.* By T. WALKER. Second Edition. Boston. Richardson, Lord, & Holbrook. 1830. 12mo. pp. 104.

THE progress of Geometry, from its rude beginnings in Egypt, to its present state of advancement, exhibits one of the most perfect and beautiful developements of human intellect. Starting from a few simple truths, the application of which the necessities of common life first taught that primitive people, it passed, step by step, along its forward path through the Grecian and Alexandrian schools, and from them through the middle ages to modern times, until it has at last entered a region of unerring truth, no less wonderful to the uninitiated eye, than would be the fabled glories of oriental Fairyland. As the science advanced from truth to truth, each more surprising than the last, it is no wonder that the imaginations of its devotees were enkindled to the most dazzling anticipations of the grandeur of future discoveries. The delight, which the mind

naturally experiences from the vivid perception of some hitherto unknown result, must have acted as a continual stimulant to the early cultivators of geometry, prompting them to unwearied efforts in the prosecution of their beautiful studies. Accordingly we learn from history, that the investigations of this science, particularly among the geometers of Greece, aroused an enthusiasm nowise inferior to the divinest inspiration of poetry. The absolute certainty of the truths which it demonstrates, the clear and elegant methods which intellectual ingenuity has devised of arriving at those truths, the regular progress from one portion of the science to another, the beautiful harmony and unerring symmetry of each part with all the others, make it, now that the successive labors of ages have by degrees unfolded the majestic system, one of the most curious and interesting objects of human contemplation; and explain and justify the lofty, and perhaps, at first sight, extravagant admiration with which the ancient mathematicians regarded it.

The study of geometry, to say nothing of other cognate sciences, is not, according to the popular impression, a dry and uninteresting pursuit. There is that in it, which calls out and absorbs the powers of the mightiest intellect, and which, as with the spell of an enchanter, concentrates upon itself the varied energies of the imagination, the reason, and the judgment. No men have obtained a place in the intellectual history of antiquity, who aspired more loftily to eternal fame, who were animated with the impulses of more throbbing anticipations, than the geometers. Their names are not upon our lips, like those of Homer, and Æschylus, and Virgil, because we are less familiar with the prodigious efforts of their minds; they speak not, like the poets, in the seducing tones of passion and sentiment, but in the sterner accents of truth; and he who would hold communion with them, must attune himself, not to the strains of the graceful but Epicurean muse of Horace, but to the severe teachings of unadorned and majestic truth. But though their names are rarely mentioned, except to point a sentence, to give force to an antithesis, or to surround a common thought with the charm of classical allusion, yet among the initiated, who know how to appreciate them, they are reverenced with an intenseness proportioned to their sterling worth; and the more deep and enduring, perhaps, by reason of the narrow limits within which this reverence is confined.

We know but little of Egyptian geometry. Judging from the well-known problem of measuring the height of the pyramids by their shadows, said to have been solved for them by Thales, we should conclude that their theoretical knowledge must have been extremely limited; judging from those stupendous monuments themselves, which thousands of years have not shaken down or perceptibly affected, we cannot resist the conclusion, that, in practical mechanics, they possessed an almost unrivalled skill. We know of nothing more interesting and curious in ancient historical writings, than the minute and apparently accurate sketches of the Egyptians, their national character, their internal economy, their priesthoods and superstitions, their learning, and, most especially, their public works, the pyramids, the labyrinths, and the excavated lakes, given at length in the second book of Herodotus. The same author ascribes the origin of practical geometry to the operation of an 'Agrarian law,' carried into execution by Sesostris, by which each of his subjects was put in possession of an equal portion of land; but the proximity of some to the Nile, and the exposure of their lands to annual inundation, rendered necessary a remeasurement, and thus gave birth to geometry, or the art of measuring land. But, as we have intimated above, there is no reason to believe the Egyptians ever extended their geometrical discoveries very far, or that any ancient nation, previous to the Greeks, understood geometry as a symmetrical and progressive science. The celebrated and most important theorem, that 'the square of the hypothenuse of a rectangled triangle is equal to the sum of the squares of the other two sides,' though now understood by every tyro, required for its demonstration the genius of a Pythagoras; and the joy he experienced on discovering and establishing its truth, is, to us, one of the most electrifying passages in the history of the human mind. We can hardly conceive a more befitting occasion of offering a hecatomb to the gods, than when the intellect has just entered triumphantly the citadel of knowledge, and made captive a master-truth, which is destined to bring beneath its sceptre so many subject-domains of science. Of Pythagoras the same thing may be said as of nearly all the Greek geometers, that he was gifted to an extraordinary degree with the power of imagination. In proof of this we have only to adduce his belief and defence of that fanciful doctrine, called *metempsychosis*, which he had per-

suaded himself that he had experienced in his own person, a fact alluded to by Horace (Lib. I. Ode 28.)

'Habentque
Tartara Panthoïden, iterum Orco
Demissum, quamvis clypeo Trojana refixo
Tempora testatus, nihil ultra
Nervos atque cutem morti concesserat atræ.'

We have referred to this characteristic trait of Pythagoras by way of illustrating the compatibility of exact studies with the exercise even of the wildest imagination. We can barely allude to a series of authors, all of whom were distinguished in their times, and some of whom left behind them memorials of their genius, which have lived to our day,—Œnopides, who lived nearly five centuries before Christ,—Zenodorus, a contemporary of his, who showed, that figures with equal circumferences have not therefore necessarily equal areas,—Hippocrates, who made the first discovery of certain curvilinear spaces being equal to certain rectilinear, and distinguished himself by his attempts to solve the problem of the duplication of the cube, one of the most celebrated propositions in ancient geometry, said to have originated in a response of the Delian oracle, directing the Athenians to appease the wrath of Apollo, by *doubling the altar* in his temple, which happened to be a perfect cube. Passing over these names and others without further comment, we come to Plato, who, for forty years, presided over the Academy with unrivalled genius and eloquence. The characters of such men as Plato, we contemplate with mingled pride and reverence; with pride, for they show the high powers with which our nature is gifted, and the universality of true genius; and with reverence, for they have raised themselves, by the assiduous cultivation of their immortal intellects, to a dignity of character which we view as one of almost inaccessible glory. This wonderful man possessed by nature a spirit keenly alive to lofty and ennobling sentiments; he possessed by education a taste which realized the excellence of the beautiful and the sublime. Poetry and music were the elegant amusements by which he not only unbent but refined his mind. In his earlier days he is said to have written many metrical pieces, which, when he gave himself to the pursuit of philosophy, under the instruction of Socrates, he destroyed; but in his extant works we yet discover a sufficient vein of that noble enthusiasm, to convince us of the inexhaustible riches of the original mine. Gifted with these lofty

powers and ennobling sentiments, which, according to the popular impression, do not chime well with a love of mathematics, Plato not only was a perfect master of geometry himself, as far as the science had been cultivated, and made many additions by his own discoveries, but insisted that it should be made a leading object of study by his disciples. Every schoolboy knows the inscription over his door, 'Let no one enter here who is ignorant of geometry.' It is not wonderful that the influence of Plato should have given an impulse to the science, which lasted long and contributed much to its advancement. An illustrious school of geometricians formed under his auspices, embracing the names of Aristæus, Eudoxus, Menæchmus, and many others, gave themselves to the pursuit with an enthusiasm worthy of the cause, and wrought improvements corresponding to their talents and zeal. One of the first writers, who collected the scattered elements of geometry into a regular system, was Euclid, an author of the Alexandrian school. The fame which his treatise has ever enjoyed, is one of the most striking instances of lasting literary glory, that the history of man has to offer. Down to the present day it has been used, almost exclusively, in the mathematical schools of the civilized world, while Aristotle, who, for many centuries, exerted a most despotic power over the reason of men, has been gradually banished from the halls of learning.

Archimedes of Syracuse flourished about half a century later than Euclid. His name, from its having been recorded in Roman history, is more familiar to general readers than that of any other ancient mathematician. As a geometer, he undoubtedly has a claim to be placed first in the first rank. The enthusiasm with which he regarded the cultivation of his favorite science, and his disinterested and almost passionate devotion to the cause of truth, without reference to its application to purposes of utility, may be regarded as a striking instance of the moral sublime. His method of approximating the ratios of incommensurables, has served as a guide to all succeeding geometers. We know of no fairer title to be placed among the great lights of mankind, than is given by such numerous and important discoveries as were made by Archimedes; and the noble consciousness of his greatness, and his faith in the just appreciation of posterity, place him on the same roll with Galileo and Bacon. Few things, recorded in ancient history, are oftener alluded to, than the destructive effects

which he was enabled to produce at the siege of Syracuse, by means of his knowledge of geometry and mechanics. Science then achieved one of her sublimest triumphs over brute force and the ordinary apparatus of warfare.

'Against these naval forces,' says Livy, 'Archimedes distributed along the walls engines of various magnitudes. The ships which lay at a distance, he assailed with rocks of great weight; those which were nearer the city, he attacked with lighter and more numerous weapons; and at last, that his countrymen might be protected against the enemy, while discharging upon him their weapons, he made in the wall, from top to bottom, numerous apertures, a cubit in diameter, through which, under cover of the wall, part of them harassed the enemy with arrows, and part with darts shot from crossbows. Those ships which approached nearer, in order that the engines might overshoot them, were annoyed by a long lever *(tolleno)*, one arm of which projected from the wall. An iron grapple was secured to its extremity by a strong chain, and this grapple fastening upon the prow of the ship, raised it upon the stern by means of a counterpoise of lead, which brought to the ground the other arm of the lever; then being suddenly disengaged, the ship fell from the wall, and was dashed into the water, to the terror of the sailors, with such violence, that, even if it had fallen in an upright position, it would have dipped much water. In this way the attack by sea was completely frustrated; and all the forces of the enemy were concentrated in preparation for an attack by land. But on this side also, the city was defended by a similar apparatus of engines, prepared at the expense of Hiero, during a course of many years, by the unrivalled ingenuity of Archimedes.' *

We have quoted this passage at length, not only because it refers to one of the most remarkable military operations of the Romans, but because it is the *most* remarkable instance of a military defence being protracted by the aids of science, that we find in the war annals of antiquity. Archimedes considered himself as descending from the dignity of the pursuit of abstract truth, to turn the powers of knowledge even against the enemies of his country. He wished that his glory should rest upon the permanent basis of the discovery of geometrical truth;

* Lib. xxiv. c. 34.

and in this his anticipations and hopes have been realized. That his name might be perpetually connected with the memory of his discoveries, he directed that a sphere, inscribed in a cylinder, should be engraved on his tomb, thus making his most brilliant intellectual exploit his only, and, we may add, his most glorious epitaph. It is impossible to contemplate the character of this great man, without feeling that he experienced the same poetical and lofty aspirations after fame, which have always been, we believe, the accompaniments of greatness. The prophetic foresight of Horace, the passionate visions of Cicero, the glowing but solemn confidence of Bacon, justify the spirit of a French philosopher's remark, that, in loftiness of intellectual character, Homer and Archimedes stand upon the same level. But we must break away from these reflections, and enter upon the examination of the work, whose title we have placed at the head of the present article.

Mr Walker is well known as a successful teacher of mathematics, in the celebrated school of Messrs Cogswell and Bancroft, in Northampton. Experience is the only safe test of the merit of an elementary work, in any department of knowledge, designed for the instruction of beginners; and the book before us contains the elements of geometry, moulded to that form, which some years of practical acquaintance with the art of teaching, suggested as the best. The best modern treatise on geometry, compiled from ancient and modern authors, and uniting the excellences of all to an extraordinary degree, is undoubtedly that of Legendre. But on many accounts this is unfit for the use of schools. As an analysis of the science we hold it above all praise. But Legendre, though he departed, in some respects, from the rigid methods of the ancients, did not depart enough from them to avoid a degree of prolixity, which renders his treatise too cumbrous and expensive for a manual in common schools. Without in the least disparaging the merit of that eminent and judicious mathematician, we may assert, and we believe our assertion will be borne out by universal experience, that his work has not supplied the want of an elementary treatise of geometry, for the ordinary and general purposes of instruction; which want, Mr Walker has attempted to supply.

Legendre's work is divided into eight sections, four of which treat of plane geometry, and four of solid geometry. This

division is well enough, but appears a little arbitrary. A somewhat different, and, as we think, a more perspicuous arrangement for beginners, has been adopted by Mr Walker. On this point, let the author speak for himself.

'The division of the work into three sections is founded in the nature of the subject. Extension, or the space which matter occupies, has three dimensions, length, breadth, and thickness. These may be considered separately or in connexion. When we consider *length alone*, its representative is *a line*. Hence *the first section treats of lines and their relations*. When we consider *length* and *breadth* together, or *length in two ways*, their representative is a *surface*. Hence *the second section treats of surfaces*. Lastly, when we consider *length*, *breadth*, and *thickness* together, or *length in three ways*, their representative is a *solid*. Hence the *third section treats of solids*.'

This arrangement is clear, and the reasons for it are strong. In the first edition, a desire to render every thing perfectly intelligible led the author to omit the use of technical terms as far as possible. We have no partiality ourselves for scientific treatises, overloaded with these ornamental appendages; yet it is very obvious, that as long as facts exist, those facts must have a name; as long as propositions of different forms are to be treated of, it will be very convenient, at least, to have distinguishing terms, which, when their meaning is once settled accurately by definitions, may ever after be employed, in a manner analogous to algebraic signs, instead of the definitions; and if these terms are etymologically significant of their scientific import, so much the better. This defect of the first edition has been corrected in the second, which is, in several other points, a decided improvement upon its predecessor.

It is of great importance, in an elementary work, to bring the subject treated of within as narrow limits as accuracy and perspicuity will admit. This condition has been fulfilled by Mr Walker. As to the scientific strictness of some of his means, we will not now decide, but reserve our remarks for particular instances. We have said that his arrangement differs from M. Legendre's. It differs in several particulars besides what we have already mentioned. For instance, the properties of the circle, of the triangle, of the polygon, &c. are treated of in connexion. The definitions, instead of being given in a body, occur as the nature of the subject demands them. The definitions themselves are given, in some in-

stances, in a different form, from the introduction of another element, *motion*, which we have never before seen thus applied. Legendre defines a line thus. 'A line is length without breadth.' Introducing *motion*, the definition becomes, 'A line is the path described by the motion of a point'; and the definition of a straight line, 'the shortest way from one point to another,' becomes an axiom to the definition, 'A straight line is the path described by a point moving only in one direction.' This is a simple example, but illustrates the thought. An important use is made of motion, in explaining the meaning of the term *angle*. After defining it, and illustrating the definition on the plate, we have the following clear summary; the angle may be considered as denoting 'the quantity, by which a straight line, turning about one of its points, has departed from coincidence with another straight line,'—a perfectly intelligible account of a matter, which, as it is ordinarily explained, is a puzzling mystery to school-boys. Among the original and ingenious demonstrations which we have noticed in this volume, we would instance, particularly, those of Theorems 31 and 32, on perpendicular and oblique lines; and 34, that 'when two parallels are crossed by a straight line, the alternate internal angles are equal to each other, and the internal-external angles are equal to each other.' The principal demonstration in article 70, in regard to the proportion of lines, is partly original, and partly from Bézout. The approximation to the quadrature of the circle, in article 113, is simple, elegant, and entirely original.

A curved line is defined as 'the path described by a point which changes its direction at intervals so small that they cannot be perceived;' and by corollary, 'a curved line may be considered as made up of infinitely small straight lines.' This, taken in connexion with Theorem 94, 'The circle is a regular polygon of an infinite number of sides,' leads to important and curious results. The cylinder becomes a prism of an infinite number of faces, the cone becomes a pyramid of an infinite number of faces, and the sphere becomes a polyedron of an infinite number of faces. By admitting thus much, we have the Fourth Section of Legendre's Second Part reduced something more than one half, and the whole treatise of the 'Elements,' nearly one fourth. We are aware, that the strictness of ancient geometry would reject an aid like this; but for the purposes of practical instruction, we see not the slightest reason for a pertinacious adherence to the rigor of Euclid. Modern

geometers have universally found themselves compelled to depart, more or less, from this ideal severity of demonstration; and we see no objection against wider departures still, if the science may be explained by this means more briefly, and with equal or greater clearness. In such circumstances, nothing short of a blind and bigoted adherence to ancient methods, utterly at war with the spirit of improvement, can persist in following the beaten track.

We have thus cursorily examined Mr Walker's book. His plan is simple and natural; his explanations are clear; his original demonstrations are ingenious; and his illustrations easy and familiar. He has condensed into 102 duodecimo pages more geometrical truth than we had supposed it possible to bring within so narrow limits, and all that is essential to be taught in ordinary mathematical instruction. We recommend this treatise as well adapted to the purpose for which it was designed, and calculated to supply a *desideratum* in our schools. In parting, we have only one word more to say, which is, that the study of geometry, in our opinion, should precede that of algebra. This latter science is more abstract in its symbols, and requires a greater effort of purely intellectual labor to comprehend it. But geometry starts from notions as simple as the first ideas of arithmetic, and proceeds, step by step, clearly, irresistibly, by a process that cannot, with an ordinary effort of attention, be mistaken, to the most important and striking truths. The imagination is aided by the use of diagrams, and thus a remarkable and happy union of abstract reasoning and sensible perception renders this science an admirable exercise for the yet unfolding intellect. Take that mystery in arithmetic, the doctrine of the square and square root; trace it to algebra, and a faint glimmering of light dawns upon the hitherto impenetrable darkness that enveloped it; but when the pupil advances to geometry, all difficulty vanishes, and the mystery is made as clear as day. And so of others. In geometry there is no such darkness. Let its principles and practice be first understood, therefore, and they will serve as a light to guide the inquirer in the symbolical regions of numbers.

ART. VII.—1. *Du Système Permanent de l'Europe à l'égard de la Russie, et des Affaires de l'Orient*, par M. DE PRADT, ancien Archevêque de Malines. Paris. 1828.

2. *Statistique des Libertés de l'Europe en* 1829, par le Même. Paris. 1829.

IN a former article, which appeared in our number for July, 1828, we ventured to offer a few hasty and imperfect suggestions on the political situation of Europe, at the commencement of the late war between Russia and Turkey. We then intimated, that, although the result of the struggle was in a great measure uncertain, the not unfounded jealousy, entertained by Great Britain and the other western powers, of the constantly progressive influence of Russia, would combine with the moderation, for which we were disposed to give credit to the latter government, to limit as much as possible the duration and geographical theatre of the war, and might be expected to bring it pretty early to a close, which would be conformable, in its results, to the policy of Russia, and the wishes of the friends of civilization and humanity throughout the world. These anticipations have been, in the main, confirmed by the progress of events. Although the first campaign in Europe was hardly distinguished by so brilliant a course of triumphs on the part of Russia, as the rivals and the well-wishers of that power had alike foretold; yet, taking the two campaigns in Europe together and including the two in Asia, the exhibition of military power has, upon the whole, quite equalled the most exalted expectations, that either fear or hope could have suggested beforehand. On the other side, the influence of the policy of the western nations, especially Great Britain, in restraining the advances of Russia, and limiting the duration and theatre of the contest, has been distinctly visible at every step; while the facility and good grace with which the Emperor accommodated his proceedings to the successive and not always perfectly reasonable or consistent demands of his anxious allies, and the moderate conditions on which he has granted another term of national existence to an enemy completely at his mercy, evince a spirit of generosity, good faith, and, we may add, good policy, as commendable as it is uncommon in the councils of governments, especially of the form and character of that of Russia. The resistance of the Turks, although at the

first moment somewhat obstinate, turned out, on the whole, to be as feeble and as badly directed as there was every reason to suppose that it would be, from the well-known decrepitude of that ruined and tottering empire. The terms of the peace, were dictated, as we have just remarked, in a spirit of moderation towards Turkey, and good faith towards the other powers; but are yet decidedly favorable to the future advancement of Russia;—a great deal more so, probably, than if they had evinced, and for the moment gratified, the most inordinate and grasping ambition. The general result places in strong relief the relative strength of the two belligerents, and completely settles the question, already free from doubt in the minds of most judicious men, of the military preponderance of Russia in the southeast of Europe, and indirectly, by a necessary consequence, over the whole continent.

This result, while it involves consequences of the deepest interest to the western nations of the old world, is by no means a matter of indifference to us. The state of the international relations among the great powers of Europe, constitutes regularly one of the principal elements to be taken into view in making up an opinion on our own foreign policy; and it is of high moment that our statesmen, and the public at large, should possess correct information respecting the changes that successively occur in the nature of these relations. We therefore venture to hope, that we shall not be considered as deviating too far from the line of observation, which seems to be naturally marked out for an American Journal, by offering a few hints on this subject. We shall first briefly notice, chiefly under a political point of view, some of the events of the war, and shall then indulge in a few conjectures on its probable effects upon the political situation of Europe and the world. The general object of our remarks will be to develope and substantiate the suggestions contained in the preceding paragraph.

We must here premise, that, in our opinion, as we have already in fact intimated, the result of the war, while it has been highly agreeable to the policy of Russia, is also conformable to the wishes of the friends of civilization and humanity throughout the world. We have seen at times, with surprise, the idea thrown out in some of our most respectable journals, that the sympathies of the people of this country were on the side of the Turks in this struggle, because the Russians had

carried the war, so wantonly provoked by the former, back into their territory. With all our respect for the writers alluded to, we cannot but think that they have mistaken the feelings of the people on the point in question. If indeed they merely mean by *sympathy* the sentiment of commiseration which naturally springs up in the mind, at the view of a fellow-being in a state of suffering, however obviously the result of his own fault or crime, there can of course be no objection to the use of the term in this connexion. But if, as seems more probable, it be intended to convey the impression, that there was anything wrong on the part of Russia, in invading the territory of the Ottoman empire for the purpose of obtaining satisfaction for the manifold injuries and insults which she had received from that power during the series of years that has elapsed since the last treaty, or that there has been any exhibition of an overbearing spirit in her deportment during the course of the war, or of the negotiations that preceded and terminated it, we must, for our part at least, dissent entirely from the opinion. So far indeed are we from taking this view of the subject, that we consider the Russian government as having shown a reluctance to enter on the war, and an anxiety to employ every possible method for escaping from it, which, in a weaker power, would have been looked upon as actually dishonorable, which unquestionably contributed to raise the pretensions and increase the insolence of the Turks, and which nothing but the extreme delicacy of the relations between Russia and the other great powers of Europe would have at all justified. There cannot be a doubt, that the reckless levity with which the Turks broke the treaty of Akerman, before the ink with which they had signed it was fairly dry, and the contemptuous frankness with which they avowed, in their official manifesto, that they signed it merely to gain time and overreach the Russians, were the effect of the long delay and unexampled patience exhibited by the latter during the negotiations, and which the Turks, whose vocabulary contains no expression for such ideas as those of good faith and good policy, could only attribute to bodily fear. The people of the United States know how to commiserate the distress, which the comparatively innocent population of Turkey must have suffered in consequence of the invasion of their territory, however rightful in itself, and however moderately and judiciously conducted; as they would commiserate the innocent and suffering

connexions of a pirate, who was sentenced by the laws of his country to expiate a life of cruelty and horror on the gibbet. It is the lot of humanity, that the innocent must suffer, to a certain extent, for the crimes of the guilty; but as respects the present case it must be recollected, that the body of the people are not, in any country, entirely innocent of the faults of their rulers, since the character of the government is, after all, only an expression of that of the community. Ferocious and unprincipled rulers are the natural product, as they are the appropriate punishment of a vicious and savage state of society, like that which exists in Turkey. For ourselves we must own, that our sympathy is not particularly lively with the distress of a population, which could tolerate in its government such proceedings as the execution of the Greek patriarchs and bishops at the commencement of the revolution, the massacre of the Janissaries, and the expulsion of the Armenians; and which took a part itself in the diabolical scenes that disgraced the marketplace at Constantinople, when the women of the first Greek families were publicly exposed to violation on the murdered bodies of their husbands and fathers, at the rate of two piastres a head. Whatever natural regret we may feel at the sufferings of a population, savage enough to concur in such horrors as these, or brutal and degraded enough to acquiesce in the perpetration of them by their rulers, the wishes of the friends of humanity and civilization must surely be in favor of the success of a power, which undertakes to teach such a people by the application of mere force, the only argument they can or do understand, some respect for the rights and feelings of others. The President of the United States takes a more correct view of the subject in his late message to Congress, where, while he expresses rather more sympathy with the sufferings of the Turks, than he would perhaps be warranted in doing by the actual feelings of the people, he nevertheless anticipates that the result of the war will be favorable to the cause of civilization and the progress of human happiness. It would show a very puerile sort of weakness to suppose, that a powerful government, like that of Russia, is to pocket every species of injury and outrage from a feeble, semi-barbarous state, and not seek redress in the only practicable way, for fear of inflicting on the individuals composing that state the evils inseparable from invasion. The respectable editors, who represent the Russians as hostile aggressors, express, on our view of the case,

not the sentiments of the American people, but those of the British politicians, which they have unconsciously imbibed from reading the accounts of the war, and the negotiations which preceded and terminated it, chiefly in the British newspapers, accompanied with commentaries dictated by a natural jealousy of Russia. The truth is (at least as we apprehend the subject), that the friends of humanity feel no other regret on the occasion of this war and its close, excepting that the complicated character of the relations between the great powers of Europe prevented them from improving the present opportunity for effecting, in concert, the entire destruction of the Turkish empire, and expelling for ever, from civilized Europe, the horde of ruthless barbarians who have so long brooded like a night-mare over one of the fairest portions of her territory. When we recollect that another week's march, which there was nothing to impede, would have brought the Russian army to Constantinople, and that the mere fact of their presence there would have driven back the Ottomans into their native Scythian deserts, and restored to the influence of civilization and Christianity the delightful regions that embosom the Mediterranean, the ancient seats of all our art, science, and religion, and which would become again, under these circumstances, as they were of old, the garden of the world, instead of being, as they are under their present masters, given up to desolation, and, substantially, no better than the pestilential haunts of a sort of privileged pirates;—when we recollect this, we certainly do feel some regret that the immediate results of the war had not been of a more complete and decisive character.

Such, we repeat, is the point to which the only regret we have on this occasion is almost exclusively directed. But while we could have wished, for these reasons, that the results of the war had been different, we are not disposed to impute blame to any one because they have not been so. We are fully aware that the considerations, which operated in giving them their present form, are on all sides just and weighty. The apprehensions entertained by the western nations of the prodigious and constantly progressive power of Russia, are perfectly well-founded, nor do they necessarily imply any injurious suspicions of the intentions of the present Emperor, but simply a correct notion of the ordinary course and motives of human action. It was natural and proper for these nations to endeavor to restrict as much as possible the further advancement of

Russian influence, which must, at all events, result from the late struggle; while, on the other hand, the readiness with which the Emperor, out of compliment to their apprehensions, arrested his progress in the full tide of victory over an enemy who had no right, on his own account, to claim or expect the least consideration, was a strong proof, not only of moderation and good policy, but of really noble and generous feelings. It was impossible in the nature of things that the great European powers should terminate, in an amicable way, the territorial arrangements which would have been rendered necessary by a concerted and, of course, successful attack by them all on the Porte; and it was better for all parties, probably in the end for the aggrandisement of Russia, the one which has exhibited the highest degree of magnanimity on the occasion, that the Turkish empire should be left to crumble to pieces by an internal process of decay, and that its territory should distribute itself to future occupants, in such a way as the force of circumstances may determine.

Without, however, dwelling any further on these preliminary considerations, we shall proceed to offer a few suggestions on the events of the war, and on the negotiations that terminated and preceded it. As respects the latter, it would be difficult to find a stronger example of the utter inefficacy of mere diplomacy, however ably conducted, and, indeed, as such, successful, for the purpose of controlling the force of circumstances, and accomplishing important political objects. The negotiation which immediately preceded the war was planned and conducted, on the part of Great Britain, by the ablest minister who has appeared in that kingdom for half a century past; and he succeeded in completing his arrangements probably to his own entire satisfaction. He obtained the signature or approbation of all the principal powers to the celebrated treaty of London, by the effect of which he intended, under the appearance of coöperating with Russia for the emancipation of Greece, to hold the former in leading-strings, sustain Turkey, compel the Greeks to be content with a qualified independence, and especially remove all danger of war. Such were the objects of these diplomatic conventions; but so far were they from answering the expectations of their authors, that they may fairly be regarded as the direct and immediate moving cause of the whole series of *untoward* events that followed them—the battle of Navarino—the war between Turkey and

Russia—the virtual destruction of the former empire, and the complete independence of Greece. The false and unnatural position in which the naval commanders of the allies in the Mediterranean were placed by the treaty of London, produced the encounter of the two hostile fleets; and thus, by a kind of inexplicable fatality, led Great Britain herself to inflict upon her 'ancient ally' a blow, second only in severity to that which has since been given by the Russian invasion. The battle of Navarino again, which could only have appeared to the Turks, unskilled as they are in the refinements of European casuistry, an act of open, unprovoked, and even treacherous hostility, was the immediate cause of the war itself, and all its political results. The very measures which were intended to avert the danger of collision, not only determined or, at least, precipitated this occurrence, but created at the same time, by the destruction of the Turkish fleet, a most powerful diversion in favor of the party which their authors were anxious to bind down and cripple in every possible way. Thus terminated this unharmonious concert, which was destined, so much against the wishes and intentions of its composers, to serve as an overture to the great work which has since been executed with such decisive success; and thus commenced the war.

This war had long been looked to, by the western powers of Europe, with a sort of breathless anxiety, which has been fully justified by the event, but which was mingled at the time with many grains of encouraging uncertainty, and even flattering hope. The extraordinary display of military power which had been made by Russia, at the close of the war with Napoleon, had left a deep impression on the public mind, which had been recently refreshed and enlivened by the rapid and brilliant success of the invasion of Persia. These positive results, taken in connexion with the vast materials of power which are obviously at the disposal of Russia, had already, in the minds of many judicious statesmen, settled the question of the military preponderance of that empire throughout Europe. Others, whose interest was engaged on the other side, were still willing to be skeptical. The victory over Bonaparte had been achieved in concurrence with powerful allies, under the direction, in part, of a British general, and throughout with the aid of British gold. Persia was but the shadow of a name, too feeble and decrepit to test the power or increase the glory of any conqueror. The Turks, on the other hand, were known to

fight with obstinacy, especially behind entrenchments. The Sultan was an energetic and remorseless tyrant, much superior to the common run of his predecessors, and well-fitted to give a tone to the spirit of his barbarous soldiery. It was not improbable that the war might turn out a tedious and fatiguing one, while the Russian finances, on the other hand, however improved by the indemnity they had just received from Persia, were supposed to be decidedly unequal to the expenses of such a struggle. Such were the views which were entertained by many politicians whose interest was opposed to that of Russia, and which served as a basis for the proceedings of the allies after the opening of the war. Disappointed in their efforts to avert it, and unwilling, at the same time, to encounter the hazard attending a more decisive course, they resolved to temporize and leave something to the chapter of accidents. An expensive and doubtful campaign would be a stronger argument with Russia for the conclusion of peace on easy terms, than any which they could urge in the form of diplomatic address. The Danube and the Balkan were not to be carried by a *coup-de-main;* and supposing the highest expectations of the efficiency of the army to be realized, the allies would still be as well situated for a decisive intervention in favor of Turkey at the opening of the second campaign, as they were at that of the first. It was concluded, therefore, to allow the Emperor to try his fortune. If he failed at the first onset, the Gordian knot of policy would naturally be untied by the mere progress of events; if he succeeded so as to become too dangerous, they were always in season to cut it with the sword.

The only positive check which they attempted to impose upon the progress of the Russian arms, was, that of engaging the Emperor to consent that he would observe a neutrality in the Mediterranean while he was actively at war upon the Danube. The arrangement on this head was announced by the King of Great Britain, in his speech at the opening of Parliament, as a matter of high importance, and wears upon its face the apparent stamp of British origin. It is said, however, by some to have been adopted at the particular request of the French cabinet, and rather against the inclination of England as well as Russia. However this may be, as respects the fact, we incline to doubt whether the two governments or their apologists will hereafter contend very earnestly for the authorship of the measure, which really seems to have done but little

honor to the diplomacy of either. It was, in the first place, absurd in itself; secondly, of too feeble a character to affect, in any great degree, the results of the campaign; and thirdly, by openly evincing a continued jealousy of Russia, it tended, on the whole, to embitter the general relations of the parties to the treaty. The Emperor probably gave his assent, in the first instance, under the idea that the concession was of little or no consequence; and when he found the war proceed rather more heavily than had been anticipated, and thought that the blockade of the Dardanelles would serve a useful purpose, he made no scruple of withdrawing a promise which he doubtless looked upon as given *without consideration*, and, therefore, substantially null. The good grace with which the governments of France and England deemed it convenient to acquiesce in this unexpected change of purpose, formed a pleasant commentary on the air of satisfaction with which the original concession had been announced. The Russian Admiral accordingly declared the Dardanelles to be in a state of blockade, and forgetting, at the moment, the liberal principles which have always been maintained at St. Petersburg on the subject of neutral rights at sea, extended the restriction a little farther than a fair construction of the law of nations would perhaps justify. It was edifying and satisfactory to see with what zeal Great Britain, now one of the neutral powers, espoused the cause of that respectable but generally very ill-used fraternity. No longer ambitious of the sort of glory which, according to some of our law authorities, she reaped during the preceding war, by interpreting the law of nations wholly in favor of the belligerent, and against the neutral, she now, to use a French idiom, *abounded in the other sense*, and with perfect *sang froid*, claimed of Russia the same privileges which she had, for a series of years, so resolutely refused to us. The defence of neutral rights, which Lord Stowell is understood to have written on this occasion, in the favor of a diplomatic despatch, would doubtless compare very well, in point of style and argument, with the plea for belligerent pretensions, which Sir William Scott drew up in the year 1812, in answer to our declaration of war; and the publication of the former is anxiously expected by those who take an interest in such discussions. In the mean time, it appears to have had its effect with the Emperor Nicholas, who, finding himself thus driven back by Great Britain herself to the old ground of the Armed Neutrali-

ty, yielded, in his turn, with much apparent complacency to the very consistent and modest request of that power, disavowed his Admiral, and limited the blockade to the entry of the Dardanelles.

While this diplomatic by-play was going on behind the curtain, the war opened, and brought to the test of experiment the hopes and fears of the interested parties, and the expectations of the world. The course of events, during the first campaign, viewed as it was through the medium of highly raised expectations, appeared to many to be of a doubtful if not decidedly unfavorable character, but was perhaps, on the whole, better fitted than any other to secure the ultimate success of the Russian arms. A decided failure would probably have induced the Emperor (such, at least, was the calculation of the allies) to agree to peace on very easy terms. A more triumphant progress at the outset, by confirming the worst apprehensions of the allies, might have caused them to interfere in such a way as would have brought the war to a close, and prevented the complete developement of power on the part of Russia that has since been exhibited. The advantages which were actually gained, while they were substantial enough to encourage the Russians to persevere, were still sufficiently moderate to quiet, in a great measure, the alarm of the allies. The latter began once more to breathe freely, and felt themselves relieved from the terrors that had haunted their imaginations, without interruption, for fifteen years. If the Danube and Varna, trifling obstacles compared with those that remained behind, cost such sacrifices, it was of course impossible that Shumla and the Balkan should be carried without an arduous and protracted effort. They had, therefore, ample time before them in which to deliberate and act at leisure. Far from making haste to interfere and terminate the war, they rather deemed it the dictate of good policy to allow the Autocrat to waste, in fruitless attempts upon the impregnable barrier of Turkey, the resources that might be more dangerous, if they should ever be employed in a different direction. The *prestige*, that had for some time past been attached to the name of Russia, was now, in their opinion, dispelled; and even if the success of another campaign should, in some degree, redeem the failure of the first, there was no moral possibility that it could be so rapid and decisive as to prevent them from interfering, at any moment, in the character of armed mediators,

and dictating to both parties a safe peace. Little or no effort was, therefore, made by the allies, in the interval between the two campaigns to reconcile the belligerent parties. The Emperor of Russia continued to profess the same moderate intentions as before, and made, in the course of the winter, direct overtures to the Porte. But the same circumstances which had relieved the apprehensions of the allies, had, of course, increased the arrogance of the Ottomans, who began to feel as if they had already advanced half way on the road to Moscow, and rejected with contempt the idea of negotiation.

Under such auspices commenced the second campaign, which was destined to disappoint so completely all the calculations that had been formed upon the first. It does not belong to our purpose to examine minutely the events of either, under a military point of view, or to attempt to discover the causes of the great difference between their respective results. Almost the only important change in the circumstances of the parties, was that which took place in the person of the Commander-in-chief of the main Russian army; and it is not very difficult, even for unpractised eyes, to trace the successes which distinguished the opening of the second campaign, and, apparently, decided its character, to skilful combinations rather than any accidental advantage. It is highly probable, therefore, that it was the fortunate appointment of General Diebitsch, as the successor of Wittgenstein, that gave the war a new turn. We may remark, in general, that whenever there occurs a rapid and brilliant movement in business of any kind, it is owing to the accidental presence of the right man, at the right time and place,—a thing of rare and difficult occurrence; since, in the ordinary slow and encumbered march of human affairs, genius too often fails to produce effect for want of opportunity, and opportunities, on the other hand, are too often lost for want of sense to see, and talent to improve them. Be that, however, as it may, and to whatever cause we may attribute the change in the character of the war, certain it is, that it was complete and decisive. One of the circumstances that concurred in producing it, was the headstrong confidence of the Turks, who now began to despise the Russians as much as they had hitherto feared them; and, by rashly sallying from behind their entrenchments, and taking the chances of battle in open field, to which their tactics are known to be unequal, exposed themselves to almost certain distruction, and gave the

enemy a complete and easy victory. Scarcely had the account of the first success, which did not at the moment appear to be of the highest importance, circulated through the west of Europe, when fresh couriers, following hard upon each other's heels, announced, in rapid succession, the actual passage of the impassable Balkan, the taking of Adrianople without resistance, the advance of the Russian troops on Constantinople and the Dardanelles, in a word, the utter rout and ruin of the Turkish army. In the mean time the Asiatic division of the Russian power under General Paskevitch was pushing forward in a career of conquest, less decisive, perhaps, as respects the immediate objects of the war, but not less brilliant in itself, and scarcely less important in its ultimate results, than the progress of the main army. The close of the war realized or surpassed the highest expectations which had been formed of the efficiency of the Russian arms, and which the character of the preceding campaign had partly disappointed. It brought to mind some of the rapid achievements of Bonaparte, while yet in the freshness of his youthful genius. It was now too late for the allies to think of interfering, for the purpose of dictating, or even materially modifying the terms of peace. Indeed there had not even been time, since the change in the character of the war, for them to agree among themselves upon a new system of policy, and despatch the corresponding instructions to their ambassadors at Constantinople. If there had been, an attempt to interpose with violence, at the present juncture, would have rather promoted, than obstructed, the views of Russia (supposing them to be directed towards political aggrandizement and the acquisition of territory), as it would have released the Emperor from his engagements to the allies, and left him at full liberty to retain, at discretion, any or all the conquests, which it was now impossible to prevent him from making. It only remained for the ambassadors, destitute as they probably were of specific instructions, to save appearances by coming forward in the character of formal mediators, and acting as the instruments, through which Russia might dictate peace on her own terms. This part was quite a different one from that which the representatives of the same powers had generally played in the affairs of Europe down to the period of the treaty of Paris; but it was the best now left at their disposal, and they accordingly undertook and went through it in a very becoming manner.

The conditions of peace savor, pretty strongly, of the circumstances under which it was concluded. The opening of the Black Sea to the trade, not only of Russia, but of all other nations, was a demand, which, though conceived in a high and generous spirit, could not have been even proposed, excepting to a completely prostrate enemy. The privileges secured to the Russian residents in Turkey, again, are hardly consistent with the formal independence of the latter power. The emancipation of Greece, according to the treaty of July, 1826, was a matter ostensibly foreign to the causes of war, and which, in form at least, could not regularly be included among the conditions of peace. But although in this, and perhaps some other points, the treaty evidently bore the marks of a law dictated by an acknowledged superior, its terms were, nevertheless, in our opinion, not inconsistent with the supposition of a really moderate spirit on the part of Russia. It should be recollected, that this was a contest between a civilized and a semi-barbarous government, and that, after the repeated breaches of faith, and, finally, open and official avowals of falsehood by that government, it would have argued imbecility, rather than honesty, to put the least confidence in its assurances or engagements. The only way to protect the subjects and property of Russia from aggression was to place the Turks under an absolute physical incapacity of injuring them; and it seems to have been the intention of the Russian general, in drawing up the conditions of peace, to approach as nearly as possible to this point. If we compare them, not with those which are commonly agreed upon at the close of the wars between the civilized nations of Europe, but with those which Russia had it in her power to dictate, or with those which the Sultan would unquestionably have dictated, had he found himself with a victorious army at the gates of Moscow or St Petersburg, we shall not be disposed to consider them as excessively severe. The probability in fact is, that, instead of being too severe, they will prove, on experiment, to have been too lenient; that the Turks will abuse the little latitude that is left to them in such a way, as to show, that, little as it is, it is yet too much; and that future difficulties will arise on this account, which will render it necessary for Russia, before the relation of the two powers as independent states shall finally cease, to bring it still more nearly, on the part of Turkey, to that of actual subjection, than it is now.

Such, however, has been, on a general view, the progress of this brief, but important war, and of the negotiations which preceded and terminated it. We have no disposition to exaggerate the power of Russia, or to present the policy of her government under a too favorable point of view; but our impression, from a review of these transactions, certainly is, that they have tended, very evidently, to augment the influence and exalt the reputation of this already colossal state. The display of military power and talent has been, upon the whole, taking into view at once the two campaigns and the two divisions of the army, as brilliant and decisive as could have been expected, or as the nature of the case would perhaps have rendered possible that it should be. Unassisted by any active ally, and embarrassed to a certain extent by the policy of his passive ones, the Emperor has advanced to the accomplishment of his object with the same firmness, which his predecessor had exhibited when backed by the armies of the Continent and the treasures of England, and has come out of the war with equally triumphant success. The two leading generals, Diebitsch and Paskevitch, both native Russians, have done great credit to themselves and their country; and, as far as a high military reputation can be established in one or two campaigns upon a rather limited theatre, have placed their names upon a level with those of the great commanders of ancient and modern times. What is of still more importance, perhaps, in estimating the character and influence of the Russian government, the political transactions connected with and growing out of the war,—although throughout exceedingly delicate and important,—have been managed with extraordinary ability. Disclaiming as before any inclination to exaggerate, we can yet say, with perfect truth, that, in our opinion, Russia has exhibited nearly as great a superiority over the allies in the cabinet, as she certainly has over the Turks in the field of battle. On the Russian side, the tone of discussion, while it has evinced at least an equal degree of sagacity and skill in the negotiators, has been throughout more firm, manly, and consistent, than on the other. The treaty of the sixth of July, which formed the basis of all the negotiations on the part of the allies, though doubtless arranged by Mr Canning with patriotic intentions, wore on the face of it the appearance, if not of actual insincerity, at least of a tortuous policy, which attempts to overreach under the mask of friendship, stabs a rival in the

side, with an *Art thou well, my brother?* It will be said, perhaps, that cunning, approaching to fraud, on the one hand, and manly frankness, bordering at times on arrogance, on the other, are the qualities which naturally belong to the respective positions of a weaker and a stronger power, when they come into relation with each other; and this we partly believe. But at all events the facts appear to be as we have stated them. If we come down to the lower consideration of the mere clerkly skill with which the papers are drawn, the superiority is still on the same side. The important documents which were published by the Russian cabinet, at the commencement of the war, are written with great ability and discretion. They are attributed to Count Matusévitch, a young Polish nobleman, educated at the Polytechnic school at Paris, who was attached to the department of foreign affairs at St Petersburg previously to the war, and has since been employed as a special diplomatic agent at London. They certainly do great honor to their author, whoever he may have been; and although emanating from a government which places the essence of administrative talent in *action*, rather than *talking*, would by no means discredit the more experienced diplomacy of western Europe or the *logocracy* of our own dear country.

We proceed, in pursuance of the plan proposed at the beginning of this article, to offer a few suggestions respecting the influence of the events upon which we have thus briefly commented, on the situation and prospects of the political world. This influence is obviously of high and lasting importance. The direct and immediate results of the war appear to be,

1. The virtual subjection of the Turkish empire to the dominion of Russia.

2. The acquisition, by the same power, of great additional means and facilities for encouraging commerce and building up a navy.

It is quite clear, in the first place, that the conditions of the treaty, and the circumstances under which it was concluded, extend the influence of Russia over the Turkish empire as far as it could possibly be carried without an actual incorporation of the territory of the latter with her own; that they are equivalent, in their political results, to such an incorporation; and that this will be, at no very distant period, according to

the ordinary course of events, their natural and almost necessary consequence.

The Ottoman empire is of no importance in the political system of Europe, excepting as a barrier to the progress of Russia. Now its efficiency for this purpose is destroyed by the present arrangement, as completely as if its very name had been blotted from the map. In the latter case, indeed, the desired effect might have have been produced, to a much greater extent, by placing the whole territory under an independent Christian government, which, with the guarantee of the allies, and the influence of a highly favorable position, would have grown up rapidly into a very powerful state, and been a much more effectual check on the Russian power, than Turkey ever has been or could possibly be rendered. By the present arrangement, the territory of the latter is divided into two unequal parts, the smaller of which is to be placed under a formally independent Christian government, while the larger is left to drag out a little longer a nominal existence in the character of the Ottoman empire. It is obvious, that, in this way, the inefficiency of the whole, for political purposes, is rendered complete. Crippled and humiliated as she now is, Turkey will of course be incapable hereafter of making any vigorous efforts in her own defence, and still more so of giving effectual aid to any alliance that may be formed in the west of Europe. While, on the other hand, the new Greek state, from the limited extent of its territory, population, and resources, will naturally take its place in the class of second or third rate powers, can have neither voice in the debates nor influence in the struggles of those of the first, and from community of religion, and of political interest as an inferior maritime power, will fall of course under the protectorate of Russia. Even this state of things, unfavorable as it is to the preservation of a balance of power in Europe, is not likely to be permanent; and when it changes it can hardly fail to change for the worse. Humiliation, like that which Turkey has now sustained, is but a prelude to complete subjugation. The pride of the Ottomans, which has only been rendered more sensitive by the entire decay of their power, will revolt at the degradation to which they are reduced, while their ignorance and fanaticism will prevent them from realizing the full extent of their weakness and the impossibility of recovery. Under these circumstances, they will naturally, we may almost say neces-

sarily, violate the obligations imposed by the treaty, and thus afford to Russia the occasion of requiring of them new indemnities and additional guarantees, until their resources are entirely exhausted, and the very name of independence finally disappears. This is the regular progress and result of such relations as those which now exist between the two countries. It was thus that Rome successively swallowed up every independent state with which she came in contact, and that Napoleon undermined the power, and finally destroyed the national existence, of all his weaker neighbors. It was in the same way, that Russia herself has gradually enlarged her possessions in every direction, until, from the somewhat limited inland territory that formed her original seat, she has extended her dominion to the borders of every ocean, and spread it over a quarter of the habitable portion of the globe. Her relations with Turkey have, in fact, been constantly tending towards this catastrophe, ever since her first appearance under Peter the Great as a European power; and it is a curious evidence of the force of circumstances in controlling the influence of the positive combinations dependent on the human will, that, although the probability of such a result has been for a century past proclaimed by political writers, and distinctly perceived by all the cabinets of Europe,—although the policy of preventing it has been felt, acknowledged, and, as far as was practicable, acted on, during the whole of that period,—it has, nevertheless, been steadily approaching, until the occurrence of it has at length become almost a matter of certainty. The most critical moment in the history of these relations was undoubtedly that through which they have just passed. Up to this period, the essential weakness of the Turkish empire had not been fully manifested, and it appeared possible, perhaps may have been so, to sustain it as a barrier against Russia. On this head it is no longer practicable to indulge in any illusion. It is obvious to all, that Turkey, far from serving as the champion or ally of others, is no longer capable of defending herself. It would have still been practicable, as we have already intimated, by a vigorous and well directed concert among the great powers, to substitute a new creation, a young Christian state, instinct with a living principle of health, vigor, and activity, instead of the putrid corpse that now pollutes the soil and infects the air of the fairest portion of Christendom. The most judicious of the speculative writers on politics have accordingly,

for many years past, counselled the great powers to adopt this course; but the hazard of disturbing so materially the existing state of things was probably thought too great to be encountered without an immediate and absolute necessity. The opportunity has now passed away, never probably to return; and nothing remains for Europe, but to look on patiently and see the purposes of the Great Catharine successively accomplished, until the Russian standard is finally planted on the towers of the Seraglio, and the present or some future Constantine is actually enthroned at Constantinople.

But without anticipating on the future, it is sufficient for our present purpose to remark, that the circumstances and terms of the late pacification produced all the effect, in extending the influence of Russia and removing the only barrier to her progress in the South of Europe, which would follow from the actual conquest and complete occupation of Turkey. The other principal result of the war is, as we have stated above, the acquisition by Russia of great additional means and facilities for encouraging commerce and building up a navy. The perfect freedom and security, with which the trade to the Black Sea will now be carried on indiscriminately under all foreign flags, must give it at once a great extension, and impart a proportional impulse to the industry of the South of Russia. Her naval stations will now be placed in full and easy communication with the Mediterranean. The strait, that has hitherto in a great measure cut them off from it, will become a convenient entrance, and the government by closing or defending it when occasion shall require, may convert the Black Sea into a magnificent inland basin, where their navies may ride, repair, and exercise, without the fear of attack from any quarter. The inhabitants of the new Greek state, now comparatively at leisure to devote themselves to the peaceful pursuits for which they are best fitted, will be naturally attracted into the Russian service, and will supply the seamen and the nautical skill necessary to sustain this extended navigation. It can hardly be doubted, that Russia, under this combination of favorable circumstances, will soon become the leading maritime power in the Mediterranean, as she is already in the Baltic. By a judicious, industrious, and persevering improvement of the advantages she has thus acquired, and of those which she possessed before,—and there appears to be in the government no want of attention to this department of the pub-

lic service,—she may gradually build up a navy which may enable her to cope with the mistress of the ocean on her own domain, or, at least, to figure as an important member of any future *armed neutrality*, which the course of events may render it necessary to establish.

It would be unjust to the Russian government, and ungrateful in us, as citizens of the United States, not to notice here with particular commendation the liberal spirit, which dictated the measure of opening the Black Sea to every foreign flag, without distinction, and by the effect of which we obtain for the first time a participation in this branch of trade. It forms an agreeable contrast with the jealous and monopolizing character of the proceedings of another European cabinet, which has constantly exerted its influence with the Ottoman Porte to exclude all foreign flags, except its own, and especially that of the United States, from the trade in question. It is known that our government has been, for some years past, negotiating with the Porte on this subject, and that these negotiations have been, hitherto, defeated by the secret agency of England. The interest of Russia, now the leading maritime power in this quarter, in monopolizing the commerce of the Black Sea, appears to be at least as strong and direct as that of Great Britain; and however incredible it may appear to some persons, that nations or individuals can be actuated by any but the basest and most sordid motives, it seems hardly possible to ascribe the difference in the conduct of the two governments to any cause other than a really large and generous policy in the Russian cabinet. But whatever may have been the motive, the powers that have hitherto been excluded from the Black Sea, and in particular the United States, have certainly, for some years past, had the benefit of her coöperation in their negotiations on the subject, and are now indebted entirely to her for their success. By the treaty of Bucharest, Turkey had agreed to accept the good offices of Russia in favor of the admission of such *European* flags as had hitherto been excluded from it. At the conclusion of the treaty of Ackerman, in 1826, the phraseology of the article on this subject, which was, in other respects, copied from the former, was altered, by the substitution of the word *foreign* for *European;* and notice was given to the government of the United States, that the intention of Russia, in proposing this alteration, was, to obtain the opportunity of exercising her influence in our behalf. The early rupture of this

treaty, and the immediate occurrence of hostilities, prevented any proceedings under the article alluded to until the arrangement of the conditions of peace, among which the concession we had been seeking for was included in the ample form already mentioned, but, as we may venture to suppose, with particular reference to the case of the United States. We cannot but hope, that the noble example which has been set on this occasion may find imitators, and may tend to inspire a better spirit into the councils of the great maritime power with whom, it would be still more important for us, if the thing were possible, to maintain a cordial understanding in our commercial and political relations than it even is with Russia. In the mean time, it is the dictate of justice as well as correct feeling to render our acknowledgments where they are due, and to evince by our language, and, if necessary, our actions, that, if we are somewhat sensitive to injuries and insults, we are proportionally prompt in appreciating and requiting in kind the advances of those who are disposed to cultivate our friendship.

Such, however, are the principal direct results of the war,—the extension of the influence of Russia over the Turkish Empire,—the complete annihilation of the only immediate barrier to her farther progress in the South of Europe,—and a great augmentation of her maritime resources. The general effect is of course an important accession of political influence, and a remarkable increase of the decided preponderance which she already exercises in the great commonwealth of the Christian nations of the old world.

It is easy to imagine, that results of such consequence have been anticipated with more or less distinctness by the European politicians and statesmen, and that much time and attention have been devoted to inquiries into the means of averting the dangers that appear to impend over the independence of the Western states. The anxious deliberations of the principal cabinets have no doubt been long and often directed to this subject, but thus far, apparently, without tending to any very decisive practical conclusions. Of the purely speculative writers who have employed their pens in enlightening the world on this matter, the Abbé de Pradt is by far the most copious, and, on the whole, the most powerful and remarkable. We have placed at the head of the present article the titles of the two last of his numerous publications, mostly on contemporary general politics, which are, *The Standing Policy of Europe in regard to*

Russia, and *A Statistical Survey of Europe in reference to the Securities of her Political Liberty, for the year* 1829. The style of these, as of all his other works, is careless, abrupt, unmethodical, and has all the marks of a too rapid and hasty manner of composition; but they also exhibit, like the rest, a large, clear, and consequently, in the main, just observation of the movements of the political world, stated in lively and not unfrequently vigorous and elegant language. His writings, of which he commonly publishes two or three every year, may be regarded, in fact, as a sort of irregular gazette, or, in the modern phrase, *periodical*, and possess the merits and defects which are naturally incident to that department of literature. His name is not unknown in this country, and the best and most elaborate of his productions, entitled *The Congress of Vienna*, has been published in a good translation by our countryman, Mr G. W. Otis. But this and his other works are less familiar to us than they otherwise would be, because they have not been much noticed or valued in Great Britain, the almost exclusive source of our information and opinions on every subject not coming within the sphere of our domestic concerns. The neglect they have met with in England is owing partly to the supercilious indifference with which the British public regard all foreign literature, and partly to the nature of the opinions of Mr de Pradt, which are not precisely of the kind best suited to the market of London. But the circumstance which prevents his works from obtaining in England the currency and attention to which they are fairly entitled, we mean their continental origin, is precisely the one which ought to recommend them particularly to us. Without intending to intimate that the continental politicians are always in the right, and those of England always in the wrong, it is quite obvious that the reverse is also not true, and that if we mean to have a correct notion of the state of Europe, we must hear both sides. The community of language and extent of intercourse between this country and England, render it impossible for us not to become familiar with the arguments that are current in that country on every subject of any importance. The case is not the same with regard to the Continent; and it is much to be wished that editors of journals and other persons among us, who make it their business to convey political information to the public, would draw much more frequently than they do from continental sources, which are or ought to be open to them, al-

though they are inaccessible to the mass of the people. Mr Jefferson, on his return from Europe, was so much struck with the deficiency of our information in this particular, that he assisted in the establishment of a newspaper, of which it was the direct and principal object to furnish us with the views and statements of continental writers, particularly as set forth in the Leyden Journal, then under the conduct of Professor Luzac, and generally considered the best in Europe. Notwithstanding the rapid progress of improvement among us since that time, the deficiency still exists to as great an extent, proportionally, as it did then; and is now so generally felt, that a newspaper, instituted for a similar purpose, and ably conducted, would be received, in our opinion, with extraordinary favor. We cannot but hope that some of our intelligent editors will be induced to give their labor this particular direction.

Independently of the intrinsic value of the writings of Mr de Pradt, and that which they possess for us as indications of the opinion of the continent of Europe, they are also particularly recommended to us by the strong interest which their author has always taken in the politics of our continent, and by his frequent notice and avowed approbation of the institutions of this country. Mr de Pradt is, indeed, almost the only European writer who has undertaken to treat, in a large and comprehensive way, the vast subject of American politics, and their connexion with those of Europe. The British writers, who ought to be familiar with it, habitually avoid it, or treat it only with reference to this country, and under the influence of the narrowest prejudices, and an almost complete ignorance of facts. The continental politicians can hardly be expected to feel so much interest in it as those of England, and are necessarily still more deficient in the information required for discussing it to any useful purpose. Mr de Pradt forms, in this respect, a remarkable exception to the general characteristics of the class. He had been, as our readers are probably aware, a member of the first National Assembly, in which he voted with the Royalists; and he emigrated with the other considerable members of that party at a very early period in the progress of the revolution. His first writings were published anonymously during the interval between his emigration and the establishment of the consular government, and of course at a period when American politics attracted very little attention in Europe; but even at this time he had employed his mind upon

them, and published the result of his reflections in the work, entitled *The Three Periods in the Progress of Colonies*, in which he assigns the general causes of our revolution, and predicts that of Spanish America. Soon after the change just alluded to in the French government, he was taken into the public service by Napoleon, who appointed him his almoner or chaplain, and gave him the archiepiscopal see of Mechlin. At the close of the Russian campaign, he was acting as ambassador at Warsaw, and his account of this embassy was the first of his second series of publications. He had the good sense to adhere to the king during the ephemeral revolution of the 'hundred days,' and, on the second arrival of the allied armies at Paris, took a very important part in bringing about the return of the Bourbons. The utter neglect with which they treated him is a pleasant commentary on the boasted *gratitude* of monarchies. Finding that his services were not required in any public capacity, he resumed his pen, which he had laid aside during the period of his connexion with the government, and has wielded it ever since with so much assiduity, ability, and effect, that he has probably exercised much more influence, and obtained a much higher place in public estimation than he could possibly have done by the discharge of any official duties. He was elected a member of the House of Deputies in 1827, but was so much dissatisfied with what he considered the indecision and excessive moderation of his liberal friends, that he soon resigned his seat, and returned to his estate; on which he is now living, at a pretty advanced age, much occupied with agriculture, which forms the subject of one of his works, but finding leisure from this healthy and honorable pursuit to write almost every year two or three books upon the political affairs of the world, which are regularly received with great attention by the reading public. A fair proportion of these are devoted to the concerns of this continent and country, and have been of material service in forming the public opinion of Europe respecting them, and giving it a direction in accordance with our interest. He has been, from the beginning, uniform and steady in his anticipations of the success of the effort for emancipation which was making by the Spanish colonies, and, thus far, his apparently sanguine views have been realized by the event. In other respects, particularly the rapid growth of the prosperity and political importance of the new-born American nations, there has been some disappoint-

ment; but we cannot permit ourselves to doubt, that even in regard to these, the large and brilliant promises of the opening of the revolution, although the payment of them has been adjourned for a time, will be ultimately satisfied. The estimate made by Mr de Pradt of the merit of individual characters is occasionally questionable, and particularly in the case of Bolivar, whom he places without ceremony quite above Washington. Indeed, his opinion of the Liberator President has been, throughout, so decidedly 'golden,' as to rouse in some minds the suspicion that it had, in fact, been 'bought' by a pension; but we have reason to believe that this report is groundless. His occasional errors in this and other points, and his faults, such as they are, of composition and substance, are probably the natural results of the same warm imagination and impetuous character which have given his writings their value and success. We regard them, on the whole, as the best series of contemporary commentaries on the politics of the last fifteen years, that have appeared in any quarter during that period.

We have introduced these remarks on the writings of Mr de Pradt for the purpose of inviting the attention of our readers to an author, who is not, we think, sufficiently known or appreciated in this country. As to his opinions on the politics of Europe, which form the immediate subject of this article, he was among the first who distinctly perceived and announced the vast accession of power which accrued to Russia at the close of the last general war. His *Congress of Vienna* may be justly regarded as a sort of text-book for inquiries into the present political system. The leading notions have been repeated with large developements and illustrations in his various subsequent publications, and particularly the two now before us. The following passage contains a rapid and lively sketch of the history of Russia for the last two or three centuries.

'The history of Russia consists of three principal periods.

'During the first, she was a purely Asiatic power, wholly occupied by her wars with the Tartars and the Poles, and a stranger to the commonwealth of Europe, where the rank of her rulers was not yet fixed, and her name even was hardly known. It was not till the war of 1756, that the imperial title, which had been assumed by Peter the Great, was acknowledged in the person of Elizabeth by France and Austria; and this acknowledgment was the price they paid for her assistance against Frederic. During this pe-

riod, the capital of Russia, which was formerly Kief, and afterwards Moscow, was, essentially, an Asiatic city.

'During the second period, Russia advanced from Asia, under the direction of Peter the Great, and began to take part in the affairs of Europe. This monarch felt the value of his empire, and did not choose to waste his strength in obscure quarrels with his Asiatic neighbors. The scope of his ambition was higher, and the extent of his genius enabled him to attain it. Sweden was then a prominent power. She occupied the whole coast of the Baltic, and completely blocked up the passage of Russia towards the west. It was necessary to remove Sweden from the continent, and take her place. Peter succeeded in this undertaking. He was beaten at Narva, but recovered the advantage at Pultowa, which he never afterwards lost, and having banished the Swedes to their own peninsula, he took possession himself of Ingria and Livonia. Sweden fell from the elevation she had occupied under Gustavus Adolphus and Charles the Twelfth, to a third-rate power. For the purpose of securing these acquisitions, and maintaining his ascendancy in the Baltic, the conqueror of Pultowa now laid the foundation of Petersburg. Thus, in both these periods, the position of the capital has accommodated itself to the condition of the empire, and, by a singular coincidence of circumstances, it appears probable that the changes in the political condition of Russia, which belong to the third period of her history, will occasion another transfer of the seat of government, by bringing it down from the north to the south.

'These changes are the result of the important acquisitions which Russia has made within the last century in the south of Europe. Immense regions, extending along the whole northern coast of the Black Sea, and enjoying every advantage of soil and climate, have been incorporated into her territory. Such an extension necessarily brings with it new wants, interests, and relations. Such is the fertility of these regions, that their products, if not carefully excluded by other countries, would undersell those of native growth, and condemn the whole west of Europe to barrenness. The commerce in these products is carried on upon the great rivers, the Don, the Borysthenes, and the Niester, which, rising in the centre of the empire, take their courses towards the south, and, with the aid of canals, form a water communication between the Black and the Baltic Seas. While the economical affairs of Russia are tending to the south, it is difficult to suppose that the seat of government can remain very long in its present position; and the time is doubtless not far distant when it will be transferred to the neighborhood of the Black Sea. These regions have twice been the seat of opulence and civilization. They were covered, in ancient times, with flourishing cities,

which, as Montesquieu justly remarks, supplied Mithridates with the means of resisting so obstinately the attack of Rome. In modern days the merchants of Genoa and Pisa carried on an extensive trade in this quarter, and found it still teeming with abundant stores of wealth. The same regions are probably destined to attain a still higher degree of prosperity, in consequence of their union with Russia, which brings into this direction the trade of the whole interior of that empire.'

The following extract gives a striking picture of the vast extent and resources of the Russian dominions.

'Where does the territory of Russia commence? At the great wall of China. Where does it terminate? At the distance of only fifty leagues from Berlin and Vienna. Her right flank rests on the North Pole, and her left is protected by the Black and Caspian Seas. Is there a weak point, a dangerous neighbor, any element whatever of disunion in any part of this immense domain? None whatever. The territory is all compact and contiguous; the population of common origin, manners, language, and religion. Nor ought we to underrate the importance of the Asiatic dominions of Russia. They cost her nothing, and they furnish her with men and money. They are beginning to be civilized and to yield very valuable products. The population now amounts to fifty millions, and may be expected to increase with great rapidity. Population seems indeed to be rapidly increasing in almost all parts of Christendom, in consequence, probably, of the improvements in medicine and in the general condition of the poorer classes of the people. But the immense extent of unoccupied territory in Russia affords opportunity for a greater augmentation in the number of her inhabitants, than can easily take place in most other countries. In this respect her situation resembles that of the United States of America. It has been calulated, that, before the close of the present century, the population of the United States will exceed a hundred millions, and their progress thus far has surpassed the rate required for this purpose. There is no reason why Russia should not advance, in this respect with nearly the same rapidity; and the probability is, that her future emperors will extend their sway over a greater number of subjects than were ever before united under one sovereign. If we compare the elements of power, belonging respectively to the Russian empire and to that of Rome, we find that the former is vastly superior, in extent and compactness of territory, and in the uniformity of laws, manners, and language among its inhabitanis. The subjects of Rome were bound to her by no tie but that of force, and had no principle of union among themselves. The Russians, on the other hand, are children of

the soil they inhabit, attached to it by nature, and to each other and the government by all the sympathies and associations that prevail among the members of the same community. The union of all these advantages gives to Russia the command of an almost unlimited power, which she can turn, when it suits her, against the rest of Europe. The power is already in existence. The use that may be made of it depends, in part, on the character of those who have the direction of it, and in part on the progress of events. Men, we know, are prone to abuse their advantages, and existing principles of evil are generally aggravated by the lapse of time. If the continent possessed any other state of equal force we should know where Russia was to stop; but this is not the case. And there is nothing to oppose her progress but artificial combinations, which must always contain as such the seeds of weakness, and are really no match for the same resources united under one head.'

The view here given, though pretty highly colored, is, we think, in the main, correct. We do not, however, agree with Mr de Pradt, in anticipating so rapid an increase of population in Russia, as that which we have witnessed, and which is still going on in this country. Mr de Pradt reasons on the supposition, that no condition is required for a rapid progress in this respect, other than a vast extent of unoccupied territory; but if this were the case, there is no reason why the Indian tribes who inhabit our continent, instead of dwindling into nothing, and disappearing from the face of the earth, should not advance as rapidly as the whites. The condition really necessary to a rapid increase of population is a good political and moral constitution of society. We believe that Russia will advance in this respect, because we notice a gradual improvement in the internal administration of the empire, and a tendency toward a better political and moral constitution, than that which now exists; but it will be necessary that great meliorations of this description should be actually realized and carried into practice, before her progress can ever begin to keep pace with ours.

There is more correctness in the suggestions of our author respecting the manner in which the colossal power of Russia will probably be wielded by the present and future emperors. Much no doubt depends, at any given moment, upon the disposition of the reigning sovereign; and the confidence with which the statesmen of the west of Europe appear to calculate on the moderation of the cabinet of St Petersburgh, as a suf-

ficient guarantee for their independence and security, is doubtless, if we look only at the passing moment, not without foundation. But generally speaking, it is the law of nature that states should exercise power to the full extent of their internal capacities and resources, excepting so far as they are restrained from abroad; and even the temporary differences resulting, in this respect, from differences in the moral character of the reigning sovereigns or existing administrations, is, perhaps, less than we should at first thought expect it to be. If the sovereign be of an active and energetic character, he is urged forward by his own ambition; if he be quiet and scrupulous, he is forced to advance by the folly of his neighbors. The only condition upon which the state of things, existing at any given time, could be preserved, would be a perfectly correct and intelligent administration of the public affairs in all quarters. But this we know is impossible in the nature of things. Passion and error will have their influence; temporary interests come into conflict; collisions ensue; and when there is collision between stronger and weaker powers, whatever be the cause, the effect is necessarily in favor of the former. The history of Russia itself affords a remarkable illustration of the truth of these principles. Peter the Great and Catharine *le Grand*, as she was called by Voltaire, were rulers of splendid talents, boundless ambition, and little or no respect for moral principle. On the other hand, the present Emperor and his predecessor have exhibited qualities of an entirely different cast, moderate though respectable talents, amiable, unambitious dispositions, and, in general, a due regard for the rights of other nations. Yet the two latter have been carried forward, by the progress of events, into acquisitions of power and territory hardly less important than those which were made by the former. The emperor Nicholas, whose character, public and private, is thus far unclouded by a shadow of suspicion, has already, in his short reign of three years, been forced into a more important augmentation of his political influence, than was perhaps acquired by his grandmother, during her long and busy reign, with all her daring enterprise and deep, unprincipled policy. The general result is therefore determined by general causes, rather than the influence of individual character. We may remark, however, that the best course, which a really powerful state can possibly adopt for ultimately reaching the highest point of aggrandizement to which her essen-

tial resources authorize her to aspire, would be to adhere, with undeviating strictness and unfeigned sincerity, to a really just and moderate system. By this means she would avoid awakening those desperate moral reactions, on the part of weak powers, which are sometimes found to counterbalance almost any superiority of physical force; and if her march were at times a little less rapid than it would otherwise be, she would nevertheless proceed, in the main, with far more steadiness and certainty to the object in view. A policy of this description has, for some years past, distinguished the proceedings of the Russian government. Mr de Pradt himself, notwithstanding his anxious solicitude about the influence of that power on the destiny of his own country, is in general disposed to render justice to the intentions and feelings of the late and present sovereigns and their principal ministers. The prevailing tone of his writings, in this as in every other point, is highly decorous and perfectly respectful to the powers that be. We notice, however, in particular passages, an occasional deviation from this tone, the result, probably, of a momentary movement of ill humor, not corrected by subsequent reflection, but which assumes at times a rather amusing shape, as in the following extract, where the worthy Archbishop retracts most of the eulogies which he habitually bestows upon the correct principles and excellent feelings of the Emperor Alexander.

'Moderation is, after all, a relative quality. It does not consist in not exercising power, but often in not abusing it to the utmost point which circumstances would admit. The moderation of the Emperor Alexander was proverbial; but it did not prevent him from acquiring Swedish Finland by the treaty of Friedericshamn, the Prussian palatinates in Poland at the peace of Tilsit, and several Austrian possessions in the same country at that of Schoenbrunn. Moderate as he was, he could yet conquer Bessarabia from Turkey; nor did he refuse himself the kingdom of Poland, which carried forward his dominions into the very centre of western Europe. By one act of moderation after another he succeeded in obtaining everything that suited his convenience, and finally made himself master of the continent; for such is the real state of the case, and the last result of all this moderation. Moderation, properly defined, does not consist in not keeping every foot of territory that may have been conquered, or in not killing on the spot every enemy that may have been taken prisoner. Practices like these belong only to communities in a state of barbarism. In the intercourse of civilized nations,

moderation lies in resigning such advantages as are dangerous to the safety of others; and the moderation of the Emperor Alexander did not go this length. Two or three more examples of a moderation like his would leave but little scope in Europe for the future exercise of the same kind of virtue.'

It is no part of our plan to write the apology of the Emperor Alexander, who had doubtless, like other men, his weaknesses and faults; but we may remark, as respects the kingdom of Poland, the most important acquisition made by that sovereign, that he had been forced into a war with France, very much against his will, by the wanton and reckless attack of Bonaparte, that he had been subjected to incalculable losses in the course of it, and that it really does not appear so unnatural, as Mr de Pradt is inclined to represent it, that he should receive, by way of indemnity, a portion of the territory which was found to be disposable at the conclusion of peace. All the other parties to the alliance obtained indemnities of the same kind in one quarter or another; and was Russia alone, the power that had done and suffered most in the common cause, to refuse herself any advantage of this kind, merely because an acquisition of territory would render her still more dangerous to the other powers than she was before? Such is the opinion of Mr de Pradt, who would probably, for the same reason, condemn the Emperor Nicholas for accepting large pecuniary indemnities from Persia and Turkey, at the close of his late wars with these powers, and the United States, for taking advantage of the disturbed state of Europe, and of the aggressions of foreign governments upon their commerce, to round off their territory by the addition of Louisiana and Florida. We confess that we do not carry our ideas of moderation quite to this point. On our view of the subject, the moderation of a state consists, not in abstaining from any acquisition lest in augmenting her absolute, she should also augment her relative greatness, but in making no acquisitions at the expense of the rights of others. While we keep within the limits of justice, we are not only at liberty, but bound in duty to augment, as rapidly as possible, our resources of every kind, or, in other words, to exercise and improve all the talents committed to us. The acquisition of Swedish Finland, at the expense of a weaker sovereign and a brother-in-law, was undoubtably the most questionable of the political acts of Alexander; but even this was the result of a war, which commenced by a wholly unprovoked

attack on the part of that brother-in-law, who has since been deposed as a maniac, and was probably such at the period when he undertook this disastrous enterprise.

But however individuals may differ respecting the credit due to Russia on the score of moderation, there seems to be but one opinion in regard to the extent of her power, its probable future increase, and the dangers with which it threatens the independence of the western nations of Europe. This being the case, the interesting question presents itself, whether nothing can be done to avert the danger. Our author seems disposed, on the whole, to consider the case as a desperate one. He repeatedly expresses the idea, announced in the above extract, that Russia is already mistress of the continent, and apparently indulges but little hope, that the sceptre can ever be wrested from her hand, either by skilful combinations or actual force. He is, however, not for giving up the point in despair, and waiting tamely for the poor satisfaction of being the last victim. On the contrary, he recommends, in the work now before us, as in all his others, a prompt and vigorous resistance to any farther progress on the part of Russia. For the easier accomplishment of this purpose, he advises the forming of a great anti-Russian confederacy, to be composed of all the other powers of Europe, and organized into a sort of standing and perpetual defensive crusade against the overpowering greatness of the common enemy. Austria and Prussia are to guard the van of this imposing alliance. France is to occupy the centre. Spain, Portugal, Sardinia, and the Italian states would constitute a strong right wing. Sweden and Denmark, on the other hand, are by no means a contemptible left; while the fleets and treasures of Great Britain would infuse a living principle of union and vigorous activity into this otherwise somewhat heterogenous body. It was also a part of the Archbishop's plan, that the allies, acting in concert, should have swept off the Turkish empire from the map, and substituted in its stead a new and powerful Christian state, occupying nearly the same extent of territory. A measure of this kind would have singularly fortified the right wing of the confederacy, and have served in a manner to turn the Russian left, and weaken considerably at this point her almost impregnable line of battle. Here, however, the Russian tactics, as often happens between a single great power and a confederacy of weaker ones, have been too rapid for the allies, or rather the Archbishop.

Instead of waiting to have their own left turned by a new Greek empire, the Russians, by their late brilliant successes over the Turks, and by pushing forward into the heart of the Mediterranean the advanced post of a small Christian state, may be said to have turned the right of the allies, and completely out-generalled them in this quarter. This omission is now past remedy, nor would the case be very much improved by the appointment of Prince Leopold of Saxe-Coburg to the sovereignty of Greece, which, according to the last accounts, was contemplated in the councils of the alliance. It only remains to be considered, whether the other materials, out of which the confederacy is to be organized, are sufficient to render it effective. Mr de Pradt, as we have already remarked, evidently thinks they are not, and while he counsels the most vigorous efforts, considers them all, in a great measure, hopeless. We must own, that we are very much disposed to agree with him in this view of the subject, although he has not, as we conceive, stated with perfect distinctness and precision the real ground there is for entertaining this opinion, which we shall now very briefly attempt to develope.

It is obvious, in the first place, that the only solid basis of an anti-Russian confederacy, among the western powers of Europe, is to be found in the wealth, population, and military resources of the great states of the centre of the continent, France, Austria, and Prussia. The minor powers of the north and south would serve very well, as we have intimated above, to concur in and strengthen an alliance, but could not even think of acting, excepting in aid of the abovementioned principals. Even England, notwithstanding her prodigious navy, her array of colonial appendages, and her boundless financial resources (supposing them to be still unimpaired, which is perhaps very doubtful), can make no impression on the Continent, except by enlisting one or more of the great territorial powers in her cause. She can place, from time to time, a small corps of effective troops at any point on the coast where they may be wanted, but she is essentially not a military state, and can only figure as an auxiliary in the quarrels of those that are so. The real substance of the confederacy must be, therefore, if any where, in a union of the resources of France, Austria, and Prussia. These, if they could be in fact cordially combined and brought to bear upon the object in view, would furnish an aggregate force considerably superior to that of Rus-

sia in its present condition, and quite sufficient to counterbalance it, notwithstanding the essential advantage that belongs to any single state when contending with others allied against her. If the indecision and want of concert, naturally incident to all confederacies, were the only difficulty to be got over, we should consider the cause of the allies as comparatively prosperous, or, at least, by no means desperate. But there is another defect in the condition and relations of the three great central powers, not indicated, or, at least, not much insisted on by Mr de Pradt, but which we look upon as fatal, not merely to the efficiency, but to the existence of any real confederacy among them, and not of a nature to be remedied either by the exercise of prudence and political skill, the occurrence of favorable accidents, or even the lapse of time.

The defect to which we allude has its origin in the internal dissensions which, to a greater or less extent, distract all parts of western Europe. The central seat of these divisions, and the point from which they spread themselves in all directions, through the medium of literature and personal intercourse, is undoubtedly France. The tremendous revolution which has passed over that kingdom, and which has not yet spent all its fury, has left the nation separated by divisions of opinion and interest into factions, whose quarrels are apparently irreconcilable, and are, at all events, not likely to be very soon settled. A noble zeal for liberty and improvement on the one hand, on the other a not less commendable attachment to social order and the venerable traditions of antiquity, have become, by the force of circumstances, the respective watchwords of two embittered parties, under one or the other of which is rallied almost every active member of the community. An impartial and philosophic observer can see in the opinions, feelings, and conduct of both much to approve and admire, as well as much, at times, to condemn; but, under the influence of the passions and prejudices by which they are agitated, each can see nothing in the other but deadly and inveterate enemies, engaged, from selfish views, in enterprises, which, if they succeeded, would be fatal to the prosperity of the country. These dissensions pervade, in greater or less degrees, the whole civilized world of the present day. The shadowy outline of them may he traced even in our own favored country. It is marked with more distinctness in England, and becomes important in the Netherlands and many parts of Germany; but France is

the theatre on which the struggle is really carried on in earnest, and tasks to their full extent the whole strength and spirit of the combatants. It fills all the newspapers, forms the subject of all the debates in the Chambers that are listened to with the least interest, and takes the place formerly occupied by gaming and gallantry in the brilliant saloons of the fashionable world. The contending armies are always in presence of each other, always in action, and, to judge from the duration and obstinacy of the conflict, and the frequent changes of fortune, are pretty equally balanced in point of numbers and all the elements of power. It is probable, however, that the *liberal*, or, as it is called by its enemies, *revolutionary* party, is, on the whole, very considerably superior to the other in most of the domestic materials of strength, and that it is principally by the aid of foreign influence and the terror of foreign bayonets that the *legitimate* interest maintains itself so well, and is even able, at times, to gain the ascendency. There is no appearance of any termination, whether peaceful or violent, to the contest, and we may safely predict, that it will, at least, last out the lives of the existing generation. The present state of it at any particular moment is, however, one of the principal elements to be taken into view, in making up an opinion on the political relations of Europe; and, as the subject is not much studied in detail in this country, it may not be wholly foreign to our purpose to notice some of the recent events that are connected with it.

In the article alluded to at the commencement of this, we took a rapid survey of the history of parties in France from the close of the war up to the change of ministry in 1827. We then mentioned that the liberal interest had, in the main, predominated during the earlier part of the reign of Louis the Eighteenth; that partly by the great exertions of the Royalist writers, particularly Mr de Châteaubriand, and partly in consequence of the shock given to public opinion by the assassination of the Duke of Berry, the legitimate party afterwards obtained the advantage, and to such an extent, that, at the time of the accession of the present king, the number of liberal representatives in the House of Deputies was reduced to about fifteen. We added that the breach which took place between the two great Royalist leaders, Messrs de Villèle and Châteaubriand, assisted, in some degree, by the imprudence of the administration, produced, in 1827, another revolution, which brought into

the Chamber of Deputies a decided majority of members opposed to the ministry, and made it necessary for the latter to resign their places. At the time we wrote, the new administration was not completely formed, and it was generally supposed that Mr de Châteaubriand would take the place of Mr de Villèle, as President of the Council. Had this arrangement, in fact, been made, the new administration would have probably been much stronger and more durable than it has proved to be. Mr de Châteaubriand was by far the most prominent person in the opposition. His high literary reputation and great exertions in the cause of religion and royalty, together with his known attachment to the liberal principles of the Charter, had given him a great popularity; and as the immediate cause of the change in public opinion was the quarrel between him and Mr de Villèle, and his own removal from office, which was consequent upon it, it appeared but natural that, when his party recovered the ascendency, he should himself take the place of his now ejected rival. The appointment of Mr de Châteaubriand to the Presidency of the Council, or to the Department of Foreign Affairs, would have satisfied the public, and given a character of strength and decision to the administration. But such was the aversion entertained against him by the leading Royalists and the members of the royal family, on account of what they considered his *apostacy* from the cause, that it was found impossible to persuade the king to receive him again into the Cabinet. In lieu of any other acknowledgment of his services, he was sent ambassador to Rome. The person who had been most active in bringing about the change of ministers, and who might fairly be regarded as the soul of the now dominant party, being thus virtually left out in the new arrangements, it was of course difficult to form them in a satisfactory manner, or upon any other principle than the false and pernicious one of trimming between opposite opinions. To this treatment of Mr de Châteaubriand, and to the system of organization which was the natural consequence of it, we attribute, as we remarked above, the weakness of the administration and its early dissolution. At the first meeting of the Chambers after the retreat of Mr de Villèle, there was a decided expression of feeling against him; and his administration was qualified, in the address to the king which was made by the House of Deputies in answer to his Majesty's speech at the opening of the session, with the more significant than decorous epithet of *dé-*

plorable. The appointment of the distinguished philosopher and statesman, Royer-Collard, to the Presidency of the House of Deputies, was a favorable indication of the spirit of the new ministers. These were, in general, persons of remarkable talent and much individual respectability, but, for the reason we have mentioned, were not well qualified to give complete satisfaction to either opinion, or to conduct the public affairs with energy and success. Mr Hyde de Neuville, well known in this country by his long residence among us, both in a private and public capacity, and generally esteemed, wherever he is known, as a nobleman of high intelligence and the most honorable and benevolent character, was placed in the Department of the Navy. This appointment, if anything could, would have reconciled the Royalist part of the late opposition to the omission of Mr de Châteaubriand, with whom Mr de Neuville was on terms of particular and confidential intercourse. But, as if to make this omission even more remarkable than it otherwise would have been, the place of Minister of Foreign Affairs, which, on the continent of Europe, generally carries with it the direction of the government, which was particularly important at this moment on account of the delicate and interesting aspect of the general politics of Europe, and for which Mr de Châteaubriand was especially fitted by his previous career, was given to Mr de Portalis, a legal character of distinction, who had, in early life, filled some inferior stations in the diplomatic line, but who felt so little vocation for his present employment, that he reserved for himself, during the whole time that he remained in office, a vacant seat on the bench of the highest court of justice, with the intention, which he afterwards executed, of appointing himself to it as soon as he could find himself a fit successor in the ministry. A proceeding like this, which was of course generally known and commented upon in all the newspapers, looked very much like an open declaration by the minister himself, that he regarded the present arrangement as merely temporary, and was preparing in season to secure his retreat. The most effective member of this administration was the Viscount de Martignac. He had accompanied the army, on its entrance into Spain, in 1822, as the civil commissioner of the government, and was now placed at the head of the Home Department. He exhibited extraordinary talent and resources as an extemporary debater—a rare qualification in France,—and conciliated the esteem of all by the urbanity of

his deportment; but his influence was, in the main, entirely personal, and was, in a great measure, neutralized by his unfortunate position. The most popular member of the cabinet, because the most liberal, was Mr de Vatismenil, a young magistrate of high legal reputation, who had considerably distinguished himself by his determined opposition to the fanatical portion of the Royalists.

On the whole, the ministry might be looked upon, like most of those which have preceded it since the return of the Bourbons, as a sort of middle term between the two opinions; and this view of their character is confirmed by the history of their proceedings and fall. No sooner had they entered on the discharge of their duties, than they found themselves assailed by a double opposition, which unceasingly harassed them during their short period of official life, and defeated all their favorite projects. The most important measure of internal policy which they attempted was a reform in the municipal organization of the kingdom. Something of this kind had been loudly called for by almost all the successive majorities, whether royalist or liberal, that had appeared in the House of Deputies for several years preceding, and by almost every individual of distinction who was in the habit of expressing his opinion in public on political affairs. The Royalists had urged it because they regarded a powerful municipal organization as an aristocratic element, which would tend to strengthen the constitution at a point where they thought it most defective. The other party, contemplating a highly popular form of municipal authority, anticipated from the same cause a reinforcement of the democratic principle. For one reason or another, the measure appeared to be the object of general desire and favor. The minister, therefore, probably thought that he was meeting the views of all parties, and doing a highly acceptable thing, when he introduced his two detailed and elaborate bills, containing together a complete municipal organization of the whole kingdom, excepting the city of Paris, which was specifically reserved to be made the object of a distinct law. If such were his expectations, they were destined to meet with a most complete disappointment. It would be foreign to our purpose to examine the details of the measure in question, which doubtless contained many wise provisions, and had it been adopted, might perhaps have done much good. In its general aspect and spirit it wore, like the cabinet by which it was formed, the

appearance of an attempt to reconcile the views and interests of both the opposite parties, and, as usually happens in such cases, it satisfied neither. Although both parties wished for the adoption of some system of municipal organization, they wished it for directly opposite reasons; and the measure would have been worse than useless to each, unless the details had been digested in conformity with its own principles. When the bills of Mr de Martignac came under the consideration of the House, instead of pleasing every body, they were found in fact to please almost nobody. The Royalists thought them too popular, and the popular party thought them too aristocratic. The committee to which they were referred amended them so much that they were hardly to be recognised. When they were taken up for debate, scarcely an individual, if we recollect rightly, excepting the officers of the crown, said a word in their support; and, finally, when the preliminary question was taken, which exhibited the feeling of the House on the subject, it appeared to be almost unanimous against them. This result, so adverse to all his sanguine calculations, completely unsettled for a moment the philosophy of Mr de Martignac, and even ruffled the smooth surface of his temper. After the question to which we have alluded had been taken, and gone against him, he suddenly quitted the House while the debate was going on, and returned in about ten minutes with a royal order for withdrawing the bills. This proceeding was rather too hasty to be quite decorous, and also brought a little too directly before the public view the movement of the wires by which the king is made to act in a constitutional monarchy. Thus unsuccessfully and ingloriously terminated the only attempt at any important measure of domestic policy which was made by this short-lived administration.

Their success in managing the foreign relations of the kingdom was not much greater. They took up the general policy of Europe at the point where it was left by the battle of Navarino. But in the few months which had since elapsed, public opinion had been distinctly pronounced upon the character of that event. When the first flush of triumph which naturally swelled every Christian heart at so signal a victory over an infidel enemy had subsided, it was easily seen, that however natural it might be for a British Admiral to attack any fleet, whether friendly or hostile, with which he came into contact, and however politic in Russia to concur, in this instance, in

such a proceeding, the destruction of the Turkish navy was by no means a result that came within the scope of the policy of western Europe. The battle of Navarino had accordingly been declared by the King of Great Britain to be an *untoward* incident, and it was obviously still more unpropitious in its effects on France, since, while it increased, on the one hand, the general political preponderance of Russia, it also confirmed, on the other, the maritime ascendency of Great Britain, and thus diminished, in both its chief elements, the relative importance of the third party to the alliance. This view of the subject had already become general; and, as the Emperor of Russia finally declared war against the Turks at about the time when the new ministry came into power, the policy of doing nothing which might diminish the influence of Turkey became still more obvious than it was before. Notwithstanding all this, the French ministers, immediately after their entrance into the cabinet, planned and carried into effect a measure of precisely the same general tendency with the attack on the Turkish fleet. We allude to the expedition of ten or fifteen thousand troops which they sent into Greece, under General Maison, for the purpose of compelling Ibrahim Pasha to evacuate the country and return to Egypt. The immediate objects of the expedition were accomplished with honor; and the measure itself, considered simply in reference to its operation on Greece, wore the aspect of a generous interference in behalf of a suffering Christian community. Politically viewed, it was simply an armed diversion in favor of Russia, and was of course directly opposed to the general policy of the western powers. It is understood to have been suggested and proposed by France, and to have been but slightly encouraged by Great Britain. It burdened the French finances with a loan of eighty million francs, for the purpose of effecting an object which that power, had she better understood her interest, should have made any reasonable sacrifice to defeat. It is not easy to account for the adoption of such a measure by the French government, except by supposing that the frequent revolutions in the cabinet, and the constant war of parties which was going on within the kingdom, had diverted the attention of the leading statesmen from the foreign relations, and prevented them from forming any distinct notions on the subject. It is pretty evident, indeed, from the tone of the leading French journals, of all colors, that public opinion, probably from the intense and absorb-

ing interest that is felt in domestic occurrences, and the consequent comparative disregard of those which concern the general politics of Europe, has not yet accommodated itself to the altered state of the balance of power. The old feeling of jealousy of Great Britain is still apparently predominant especially with the liberal politicians; and Mr de Pradt, as far as we are informed, is almost the only prominent individual of this class who has distinctly perceived and announced the expediency of a good understanding with England, for the purpose of forming a counterpoise to the preponderance of Russia. In the absence of any very decided system respecting the general politics of Europe, the French ministry were probably carried away by a chivalrous and in itself highly natural and generous sentiment of sympathy with the sufferings of the Greeks, and zeal in their behalf, into this expedition, a measure evidently not less *untoward* than the battle of Navarino.

The other principal measure, connected with the foreign policy of the kingdom, was the war with Algiers. This was probably in itself just and politic, but was carried on with so little energy and effect, that it did not greatly increase either the reputation of the French marine, or the strength of the administration.

Constructed on the essentially vicious principle of a compromise between two opinions, constantly harassed in consequence by a double opposition, and not enjoying the adventitious aid that might have been obtained from a highly energetic and successful conduct of the public affairs, it was easy to perceive, that the ministry was not destined to a very long period of official life. During the second session of the Chambers, which was held after their introduction into power, it was remarked, that the Prince de Polignac, then ambassador at London, made frequent journeys backward and forward between the place of his residence and Paris, and the conclusion was drawn by the public, although earnestly denied by the ministerial prints, that new arrangements were making in which this nobleman was to figure as a principal character. The event verified their conjecture. The recomposition of the ministry was purposely deferred till the close of the session, in order to avoid the violent reaction against it, that would certainly have been exhibited by the Chambers; but within a few weeks after they had adjourned, an entire change was made in the administration, and a new one was formed of

which the Prince of Polignac, who was placed in the department of foreign affairs, was regarded as the leader.

The elevation of this nobleman to the head of the government is supposed to have been the principal object of this revolution. He had long been a confidential friend of the king, who was particularly solicitous to have him about his person, and, provided this arrangement were made, was comparatively indifferent to the character or political coloring of the other ministers who were to be associated with him. It is accordingly understood, that Mr de Polignac, who, although from habit, principle, and family connexion, an uncompromising Royalist, was still sensible of the strength of the liberal party and the necessity of conciliating it as far as possible, addressed himself, in the first instance, to some of the prominent members of that party and proffered them places in the cabinet. These persons, conceiving that they could not with propriety serve under a leader with whom they did not agree in principle, declined the proposal. It was then, as a last resort, that Mr de Polignac turned to the extreme right, and composed the ministry out of the most decided and violent section of the Royalists. The change was announced in the newspapers of the eighth of last August; and never, perhaps, was a similar piece of intelligence received with a louder or more universal burst of surprise and indignation. Mr de Polignac, as an individual, was not perhaps regarded as particularly objectionable, although his long residence in England and supposed preference of English manners and principles was but a slender recommendation of him to the mass of the French people. But he was looked upon rather as a courtier of the old school, than as a bigoted partisan. He was in fact regarded merely as the formal leader of the ministry. The direction of affairs was supposed to be in the hands of the Count de Labourdonnaye, a nobleman of excellent personal character, but well known and familiarly cited as precisely the most violent *ultra* in France. He had been for years the rallying point of what was called the *counter* or *royalist opposition*, and had kept himself aloof from the *deplorable* ministry of Mr de Villèle, under the idea that it was not sufficiently orthodox. He had also uniformly been a partisan of rigorous measures of administration as well as of exaggerated principles of government, and, in the earlier periods of the restoration, had gained a sinister sort of distinction by insisting on the adoption of a harsher

mode of treating the political offenders of the day. The speeches he had made at that time were now reprinted, and some unfortunate passages, in which he had called for *more blood*, were particularly pointed out to the public attention. The other ministers, though mostly Royalists of the same school, were men of little note, and of course not personally odious; but the mere name of *Labourdonnaye* gave a character to the administration, which no one at all acquainted with the political situation of France could mistake for a moment. A few persons, who agreed with him in opinion, and thought that the only means of rescuing France from the brink of an impending revolution was to adopt an entirely new course of policy, hailed his appointment with high satisfaction. The much more numerous class of moderate men were struck with alarm, and the still larger party of the professed friends of liberty were thrown into a transport of political frenzy. In fact, whatever may be thought of the characters and principles of the rival statesmen of France, it is not easy to see on what calculation the government expected to be able to sustain an arrangement so diametrically opposite to the opinion of the country. In about six months the Chambers were to assemble; it was impossible that more than a fifth or at most a quarter of the members of the House of Deputies could rally under the banner of Labourdonnaye, and, with a majority of three quarters against them, it appeared palpable that the ministry could not survive the first day of the session. It was evident that the address of the House in answer to the king's speech at the opening must sweep them at once from their places. If, on the other hand, in order to prevent this result the house should be dissolved and an appeal made to the people, it was quite certain that, in the present heated and disturbed state of the national feeling, the elections would all be carried by the liberal party, and that the new House would be still more unanimous against the government than the old one. Reasoning upon these obvious and simple combinations, and taking into view the known decision of Mr de Labourdonnaye, the public began to entertain the opinion that it was his intention to adopt some violent unconstitutional measure,—in the French phrase, some *coup d'etat*,—for the purpose of maintaining and restoring the royal authority. It was expected that he would suppress the charter, levy the taxes by a royal order, abolish the liberty of the press, and, in short, revive the absolute monarchy in all its glory. Such,

or something like this, was in fact, as we incline to think, the plan of this minister; and if he did not attempt the execution of it while he remained in power, it was probably because he was fettered by the timidity and irresolution of his colleagues. So general indeed was the expectation of some such proceeding, that the people began to concert among themselves as to the measures which it would be proper to adopt in such a contingency. An association was formed in Brittany, whose members signed a paper binding themselves to stand by each other in openly resisting the payment of any tax that might be levied without the consent of the Chambers. It was curious too to see how, at this critical moment, the friends of liberty rallied round the venerable citizen who has distinguished himself so remarkably through a long life, as her champion in the old and new worlds. Lafayette was upon a journey through the south of France when the change of ministry took place. He had been received with a cordial welcome and many demonstrations of attachment and respect in the principal cities through which he had passed, before this event was announced. Immediately after, the expression of public opinion assumed a new character. The people appeared to be electrified, and from this time forward till he reached Paris on his return, the journey of the 'Nation's Guest' became a sort of triumphal progress, not unlike that which he had made through the United States five years before. At Lyons, in particular, one of the principal second-rate cities in France, there was an extraordinary display of enthusiasm, and the addresses to and answers of the aged apostle of freedom breathed a spirit not unworthy of '76. In the mean time the two sections of the ministerial party rallied again as an opposition under their former leaders. Mr de Châteaubriand resigned his embassy, although he sacrificed, in so doing, his only means of support. The *Journal des Débats* and the other principal newspapers opened their batteries upon the ministry, and, without being discouraged by a number of prosecutions for libel and sedition that were instituted against them, kept up a most vigorous and animated fire. All things, in short, returned to the same state in which they had stood at the time when Mr de Villèle had been compelled to retire, with the difference that the administration was still more obnoxious and the opposition still more violent than in 1827.

The government did not venture, however, on this occasion,

to appeal to the people as they had done before. The result of the former experiment held out, in fact, but slender encouragement to a repetition of it, and, there being no other alternative remaining, the violent party gave way. Hardly three months had elapsed after the formation of the ministry, when the Count de Labourdonnaye resigned his place as minister of the home department, and at the same time the Prince de Polignac was raised to the presidency of the Council. This change altered very considerably the tone and character of the administration, and brought it nearly back to the intermediate and undecided state, in which it stood under M. de Martignac and his colleagues. The new ministry, like the former, will doubtless be attacked by the Royalist opposition, which has uniformly rallied under Mr de Labourdonnaye, and being nevertheless a shade deeper in its royalism than the preceding one, will be still more obnoxious to the professedly liberal party. Such was the situation of the internal politics of France at the last accounts, but it is not improbable that other changes may occur, even before this article shall have passed through the press.* The Chambers were to assemble about the first of February, and it is not easy to see how the administration, although purged of some of its most unpopular elements, will stand this ordeal, nor yet to imagine, in the midst of this struggle of contending and almost equally balanced opinions and parties, what new bias the government can take.

Such, however, has been the fluctuating and undecided situation of the French ministry, during the whole period of the late war between Russia and Turkey; a period when the general politics of Europe have been in a highly critical posture, and when it was of extreme consequence to France, that she should exercise, to its full extent, all the influence that she is, under any circumstances, capable of exerting. The mere narration of these events illustrates, far more strikingly, than any general observations which we could offer on the subject, the disastrous operation of party divisions on the political importance of the kingdom and on the balance of power. Other communities, more favorably situated than that of France, but which are yet not entirely exempt from this evil, might

* From accounts received since the above was written, it appears that the Chambers have been summoned for the tenth of March. This will of course be the time when we are to look for a new political movement, should any in fact occur.

learn wisdom from her example, if it were possible, as it is not, for men strongly agitated by party spirit, or any other violent passion, to learn wisdom from anything. The political revolution, which brought into power the Polignac ministry, nearly coincided in time with the passage of the Balkan by the Russians. The latter was an event of portentous interest to Europe. It was parallel in character and similar in its consequences to the crossing of the *Rubicon* by Cæsar; while the question, whether the orders of the king of France should be countersigned *Polignac* or *Martignac*, apart from the passions that had become connected with these names, was of no more importance than the celebrated problem which divided the statesmen of Lilliput. But, under the unnatural excitement of the moment, this party controversy occupied exclusively the whole attention of the public, flowed from every tongue, and spread itself at large over the columns of all the newspapers; while the progress of General Diebitsch was crowded into a corner, where it figured as a chance paragraph of two or three lines, and was probably overlooked by half the readers. The liberal politicians, indeed, were so much carried away by their bitterness against *Milord* Polignac, as they called him, who was suspected of entertaining British prejudices and partialities, that they actually appeared to rejoice in the progress of Russia, from an opinion that it would be disagreeable to England and her representative in the French cabinet.* It is impossible not to see, in these senseless and almost ludicrous disputes about trifles to the neglect of the deepest interests, a repetition, on a larger scale, of the madness of the Jews of old, who were slaughtering each other in the streets, in civil wars about their respective pretensions to the priesthood, while the Roman enginery was battering the walls and thundering at the gates of Jerusalem; or of that of the Greeks of Constantinople, who employed themselves in discussing the Nestorian and Eutychian heresies, when the green standard of *Islam* was already planted on the shores of the Bosphorus.

If the effects of the dissensions, which we have now de-

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* 'If the conflict [between Russia and Great Britain] commence, our wishes, as Frenchmen, will be for Russia; for the Colossus of the Pole menaces us less than the Colossus of the main.'—*Constitutionnel de Paris.*

See the article from which this extract is taken, translated in the 'Boston Daily Advertiser' for February 26.

scribed, on the welfare and political importance of France, are sufficiently disastrous, they are, if possible, still more fatal to the balance of power among the great states of Europe. The only solid basis, as we have already remarked, for a confederacy of the western powers for the purpose of resisting the further progress of Russia, must be looked for in a strict and cordial alliance between the three governments of France, Austria, and Prussia. But while France is thus agitated by party divisions, while the liberal, or, as it is considered and called by its enemies, the *revolutionary* interest, is the one which, on the whole, maintains the ascendency in her councils, it is impossible that she can appear, to the governments of Austria and Prussia, in any other light than as a sort of political volcano in a state of permanent eruption, constantly threatening the safety and even existence of all the neighboring nations. Far from forming any concert or alliance with France, the great object of Austria and Prussia is to escape from her influence, and, as a means of obtaining this end, to keep as much aloof as possible from any connexion with her. The danger from this quarter is immediate and pressing; and, in looking round for aid in repelling it, they naturally turn their eyes to Russia, as a powerful state, which has, in this respect, a common interest and fellow-feeling with them. They know that the power of Russia, should it continue to increase as it has done, may be ultimately dangerous to their independence, but this is a remote and uncertain peril, compared with that which they apprehend from France and which is already imminent. A confederacy with Russia against France, and not with France against Russia, is therefore the necessary policy of these two great powers, and has been for many years, is now, and will doubtless long continue to be their actual one. This confederacy was regularly and publicly organized under the name of the *Holy Alliance*, which, whatever may have been the theory of its original concoction, became in practice a combination of three powerful, arbitrary governments against the inroads of the principle of *liberty*, which could only come to them, if it came at all, in the form of *revolution*. This alliance, it has sometimes been said, was virtually dissolved by the death of the Emperor Alexander, and has not since been revived; but the truth is, that nothing can dissolve it while the causes which gave it existence continue to operate. As long as the principle of liberty is active in

the west of Europe, so long will the Holy Alliance flourish in the east; and as there is a great probability from present appearances, that the cause of free government is gaining strength in the west, it follows of course, that the cabinets of Austria and Prussia will be rather disposed, for many years to come, to strengthen and consolidate their connexion with Russia, than to combine with France against her.

There is not, therefore, nor can there ever be, in the nature of things, any real confederacy of the great western states against the power of Russia. The only contingency upon which this could happen, would be the triumph of liberal principles of government in Austria and Prussia, and it was with this understanding of the subject, that Napoleon, as we are told by Mr de Pradt, was accustomed to affirm, that, in fifty years, Europe would be either Cossack or Republican. *Dans cinquante ans l'Europe sera Cosaque ou Républicaine.* The meaning was, that Russia would infallibly extend her empire over the whole west of Europe, unless the principle of liberty should exhibit itself with so much vigor in that quarter, as to afford a moral counterpoise to her immense superiority of physical force, in which case it would substitute, for the traditionary monarchical establishments that now exist, the pure and simple forms of a republic. But the triumph of liberal principles of government in Austria and Prussia, though certainly within the compass of possibility, does not appear at present a very probable occurrence. Any tendency towards it, which might become alarming, would in fact be checked at once by the interference of Russia herself, who, according to the tenor of the Holy Alliance and the usage under it, would be immediately called on, and would of course be ready to lend her aid for this purpose. The only combination that could be formed in the west of Europe on liberal principles, must, therefore, be composed of France, England, and the minor northern powers; since those of the south, Spain, Portugal, Sardinia, and the Italian states, would be much better disposed to join Russia in a crusade against revolution, than France and England in one against Russia. But a coalition of France and England with the minor northern powers would furnish a very insufficient counterpoise to the colossal greatness of Russia, backed by the substantial make-weights of Austria and Prussia, and the minor powers of the south. The attempt to institute such a coalition would only draw still tighter the bonds of

the Holy Alliance, provoke the jealousy of other governments, and counteract the objects it was intended to effect. There is but little probability, therefore, that a confederacy on this or any other scheme will ever be attempted; and the chance is, on the contrary, that Russia will be left for the next thirty-five as she has been for the last fifteen years, to extend her empire as circumstances may appear to render it necessary or expedient, without molestation from any quarter. By the end of that period, if the oracle of Bonaparte be true, there will be but little scope left for further extension.

'Sistimus hic tandem ubi nobis defuit orbis.'

The form in which Russia will probably exercise her influence and extend her empire over other states, is treated by Mr de Pradt in a separate chapter. His reasoning is not remarkably precise or powerful; but as all these questions are of a novel and interesting character, the reader may perhaps be amused with an extract.

'It may perhaps be inquired how Russia will exercise this preponderance, which we consider so alarming. Will she have her Proconsuls, like ancient Rome? Will she send out new Repnins and Kaiserlings like those she formerly despatched to Poland? Will she place another Biren here, and a second Poniatofsky there? or will she, like Napoleon, dethrone the existing dynasties and substitute princes of her own in their stead? The answer to all these questions is very easy and simple.

'The power already exists, and it is in the nature of man to exercise, perhaps to abuse, all the power he possesses. Wars are quite as often the result of the intrigues of courtiers, as of sound policy, or even the ambition of the Prince. Moderation is not an absolute but a relative term, and only means, in many cases, that you do not push your advantages to the last extremity. To yield something that you might retain is considered real moderation. If, then, Russia, at the close of the war with Turkey, occupy only a part of the territory which may be at her disposal, she will receive the praise of exemplary moderation. But it is not the less certain that she will have obtained a great increase of her already excessive power, and that other powers will be relatively weaker in the same proportion. Apply the same principle to Austria and Prussia. Let us suppose that they, too, should fail, as they certainly would, in a contest with Russia, and that the latter were to appropriate to herself only a portion of the spoils. Here would be great moderation, but there would be also, at the same time, a great relative increase of power on the one hand, and diminution

of it on the other. Let us even go farther, and suppose that Russia, in the exercise of a sort of generosity, of which there are yet but few examples, shall absolutely renounce all increase of territory. Still her immense power remains, and necessarily carries with it a kind of virtual supremacy. Already, before anything is resolved upon by any other government, the first question is, What will be thought of this at St. Petersburgh? Now this is, essentially, dependence and subjection; this is precisely the state into which Europe had fallen in the time of Napoleon, when the whole continent was constantly occupied in watching his motions and studying his countenance. Immense efforts were made by Europe for the purpose of throwing off this humiliating yoke, but another, far more difficult to break, is already fastened on her neck. It is not improbable that this new authority may be exercised, for a time, with all the forms of the most polite usage, but it will not be for that reason the less real. Russia may not perhaps, like ancient Rome, order her ambassadors to insult foreign sovereigns at their own courts—command one to make war, and another to make peace—attempt to settle the domestic concerns of royal families, or declare her allies inviolable; but a look from her will carry terror, her intimations will be regarded as orders, and her displeasure felt as a disgrace and a misfortune. Such is the mildest form in which the supremacy of Russia over Europe can possibly be exercised. The pride of the western politicians may lead them to affect to doubt the reality of this state of things; but their unwillingness to acknowledge it does not alter the case, which the lapse of a few years will make but too plain to every one.'

These remarks furnish, probably, a pretty correct description of the manner in which Russia does and will *exercise* her influence over the rest of Europe. The question of the form in which she will *extend* her empire is not touched upon, an omission owing probably to the absence, which we have already remarked, of any distinct notion, on the part of our author, of the connexion between the party divisions of the western nations, and the general political situation of Europe. Should these divisions continue to rage as they have done—and there is certainly no present prospect of any abatement of their violence,—they must, after a while, in the regular course of things, produce new convulsions, which will require and, according to their views of their rights and interests, justify the armed intervention of the eastern powers; that is, in substance, of Russia. Such an intervention, however moderately conducted, would necessarily occasion an augmentation of power, and, ultimately, of territory. This was the form in which Russia

extended her dominion over Poland; and was also, in substance, the character of the much more justifiable transactions which terminated the wars of the French revolution. Should the motives which influence human conduct continue to be the same as they always have been, the future history of Europe must necessarily offer, from time to time, a repetition of similar scenes, which will of course be attended with the same practical results. *Divide and conquer* is the well-known and acknowledged principle of all success. In this case, the division already exists, and exists on points which render it interesting, and, by possibility, dangerous to foreign governments. The latter are, consequently, authorized, and indeed required, to take it into view in determining on the course of their policy. Without attributing to any party any other intentions than such as naturally result from their respective positions, it is impossible not to foresee, that Russia must, indirectly or directly, take a part in these controversies, and that she cannot take a part in them without deriving from such interference an augmentation of influence, and ultimately of territory, exactly proportional to the extent to which it may be carried. Such appears to us to be the precise form in which Russia will probably extend her empire over the west of Europe.

In comparing the present situation of Europe with the state of things half a century ago, it is curious to see how few substantial and permanent alterations were effected by the events of the French revolution. That political tornado shook to their foundations almost all the institutions and governments that came within its influence, and unsettled everything so completely, that it seemed at the time quite impossible that the same elements could ever coalesce again in the same or any similar shapes. No sooner, however, had the tempest spent its fury, and the lapse of a few years permitted the materials of power to gravitate into their natural positions, than we find, under a good many modifications of minor parts, the great features of the structure of the commonwealth of Europe differing very little from what they were before. Austria and Prussia stationary,—France comparatively declining,—England and Russia, more especially the latter, the objects of general apprehension and interest;—such was the outline of the political system before the revolution, and such, a little more distinctly marked, is its outline now. If we look into the article on Russia in the celebrated work of Favier on the *Policy of the Cabinets of Eu-*

rope, written about the year 1775, we find him drawing at the close the following conclusions, which vary only in the form of expression from those of Mr de Pradt, and which, if we did not know their origin, would appear to be borrowed from some contemporary publication.

'From all that we have here stated,' says Favier, 'it follows—

'1. That Russia holds a victorious and menacing attitude towards all her neighbors, and is quite capable of maintaining the existing military establishment to which she owes her success.

'2. That her alliance with the Court of Vienna and the King of Prussia places her in the very best position as respects her foreign connexions.

'3. That of the three great powers who might have checked her advances on Turkey, she has nothing to fear from Austria and Prussia, who are in alliance with her, and very little from France, who rather seems to court her friendship.

'4. That she will, accordingly, find herself free from any obstacles to the accomplishment of her designs on the Porte; that she will undoubtedly dictate the terms of peace, and that the influence of France, formerly so powerful in that quarter, will be quite unimportant.

'5. That if her revenue be not proportional to her territorial extent, and her extraordinary resources be also inferior to those of some other states, she is still able to command funds ample enough, at least, for the two next campaigns, and that this length of time will be sufficient for the accomplishment of the projects in which she is now engaged.

'6. That while she enjoys all these advantages for carrying into effect her military and political schemes, we can hardly flatter ourselves that we shall be able to divert her from them by mere persuasion.

'7. That the method of negotiation should have been attempted in the first instance, in concert with England, for the purpose of stopping her progress towards the Mediterranean; but that if it was then not made, or made ineffectually, there is very little chance that it will succeed better at present.

'8. That a prompt appeal to force would have been the only certain and practicable means of checking the torrent, or moderating its violence; but that such an appeal could only have had effect in proportion as it was unexpected, sudden, and vigorous, and that no demonstration whatever should have been made unless it was determined to push matters to the last extremity.'

All this applies substantially, and, in general, literally, to the present situation of Russia and of Europe. The subsequent

progress of the former in power and influence is briefly indicated in a note which Mr de Segur, in his edition of the work here cited, places at the end of the article from which the above is extracted. The note was written about the year 1825. His views coincide, in the main, with those which we have ventured to suggest, although we differ from him as to the probability of a coalition of constitutional powers against the progress of Russia.

'Russia,' says he, 'has been gradually advancing ever since the period described in the text, and has now become a colossal power. Her weight in the political balance is immense; almost the whole of Poland is subject to the sceptre of her sovereigns. The vast armies of France, after being stopped in their victorious career by the conflagration of Moscow, perished amidst the snows and storms of her inhospitable climate. Her own armies, on the other hand, after overrunning, on various occasions, Germany, Holland, Switzerland, and Italy, succeeded at last, by the aid of a general coalition of the other powers, in penetrating to the capital of our hitherto victorious monarchy. Russia is now at the head of a new federative system; she presides, if we may so speak, over the *Holy Alliance*, that unexpected league, in which interests, that before appeared irreconcilable, are now, for a time at least, united in the closest connexion. The apprehension of new revolutions forms the cement of this alliance. For the moment its policy is pacific. But who can foresee the future results of the concerted action of this imposing triumvirate, of which England alone has hitherto maintained an active independence? Would it be too much to predict that the force of circumstances will create another new federative system of an opposite character, and that a league of constitutional governments will be formed in the west of Europe as a counterpoise to this Eastern alliance of absolute monarchies?'

We have left ourselves but little room to treat the question of the influence of the war, and its results on the interest and policy of the United States, and must dispose of this part of the subject in a very summary way. The general outline of the foreign policy of our country is familiar to the public mind. The commercial rivalry which exists between the United States and England, and which affects, at times, to a certain extent, the character of their political relations, creates of course an indirect relation of an opposite kind between us and the great continental powers, to whom we should naturally look for aid on the occurrence of a difficulty in the other quarter. Hence, although our intercourse with England is much more

extensive and important than with the Continent, we are still accustomed to regard the nations of the Continent as our political allies, and England as a political enemy. These relations, which grow out of the nature of things, have been strengthened and confirmed by the progress of events, and may be traced through all the successive periods of our history. They formed in particular the principle of the important aid which we received from France in the war of the revolution. It may be remarked, however, that, during the stormy period which has since intervened, the French government have not unfrequently lost sight of the character of those relations, and of their true policy in regard to the United States. Even at the present moment, and in a somewhat more consolidated and tranquil state of the kingdom, their obstinate refusal to take into serious consideration our important claims upon them, of which they do not even venture to deny the justice, is not perhaps in strict conformity with the line of conduct which should naturally be adopted towards a useful political ally. The same causes, however, which establish a friendly relation between us and France, also create one of a similar kind with Russia, which may, in like manner be traced, through the whole course of our history from the period of the Armed Neutrality up to the present day. The importance of this relation is constantly increasing with the progressive increase of Russia in power and influence; and as this increase also modifies considerably the international relations of the great powers of the west of Europe, and renders France and England allies instead of rivals, it naturally affects at the same time the general character of our foreign policy, and will, ultimately, lead us to look to Russia instead of France as our principal political ally. The difference between the forms of government of the two powers is of no importance in this respect, because, having no point of contact, they cannot possibly be dangerous to each other. We consider it as a strong proof of the ability with which the statesmen of Russia have managed the affairs intrusted to them, that they have distinctly perceived the true character of their relations with us, and have acted throughout in conformity with it, although some mistakes would perhaps have been excusable in regard to a country forming so completely, as we do, the antipodes of theirs, both in geography and politics. They have certainly displayed, in this branch of their foreign relations, far more sagacity than the French, who have hitherto claimed the

superiority over all other nations in diplomatic skill. The extravagant pretensions, blundering incapacity, and wanton violence of the successive rulers of France during the last forty years, have at times completely vitiated, and throughout rendered doubtful, the nature of our position in regard to that power. Even now, as we have already remarked, she denies us what she has herself admitted to be strict justice. From Russia, on the other hand, we have received a series of good offices, uninterrupted by any act or demonstration of an opposite character, and crowned within the last few months by the spontaneous and disinterested gift of a ticket of admission to the Black Sea. It is not in the nature of men or nations to be insensible to such a course of proceeding. It has been and will doubtless continue to be reciprocated by the government of the United States on every proper occasion, and will completely establish the friendly relation which is naturally created by the respective positions of the two powers in regard to Great Britain. It may be proper to add, for the satisfaction of those persons who are sure to misunderstand whenever there is a possibility of misconstruction, that when we speak of Great Britain as a political rival or enemy, we do not mean that it is for our interest to be on bad terms with her. By a political rival or enemy is meant a power with which we are, from the force of circumstances, in greater danger of coming into collision than with any other. Such a power is of course precisely the one with which it is for that very reason most important for us to be on good terms, and which we ought to use every effort and make every reasonable sacrifice to conciliate. Such has in general been, and we trust always will be, however at times imperfectly reciprocated, the character of our proceedings towards the British government.

Such, however, being the general outline of our foreign policy, and in particular of our relations with Russia and Great Britain, it follows of course that every augmentation of the influence of the former power may be regarded by us, looking at the subject merely under a political point of view, as a favorable occurrence. As friends of the cause of freedom and civilization, we may regret that a purely military and despotic government should be gradually gaining on the constitutional monarchies of the west of Europe. But we have, after all, not much faith in the value or permanence of these *mixed modes*, which seem to be, as they have been in fact described by

some of the most distinguished European writers as a sort of mongrel system, growing up naturally in the course of the transition from one simple form to another, but not containing in themselves any principle of vitality or permanent existence. It would perhaps be as well for the western nations of Europe to be under the influence of a stable and well-administered simple monarchy, as to be disturbed by the perpetual and organized war of parties, that belongs to the essence of a compound one. At all events, since Europe, according to Bonaparte, must be either Republican or Russian, and since there is, from present appearances, no great probability that the former part of the alternative will be realized, we must make the best of the latter. If we regret on the one hand that a nation, whose political forms and constitution differ so much from our own, is rapidly increasing in influence, we may console ourselves on the other with the reflection that her power, however great it may become, is not attended with danger to this country, and can only affect us, if at all, in a favorable way.

We shall perhaps be charged on this occasion as we have been on some preceding ones of a similar kind, with exaggerating the greatness of Russia, and with entertaining 'nervous terrors' of her future progress. What is meant by 'nervous terrors' of the progress of a power which we have uniformly looked upon and represented as our principal political ally, we must leave it for those to explain who make the charge. We should as soon have expected to be accused of entertaining individually 'nervous terrors' that one of our best friends would marry an accomplished and beautiful wife with a large fortune, or draw the highest prize in the lottery. As respects the imputation of exaggerating the greatness of Russia, and its probable increase, we cannot but remark that our critics, instead of vaguely denying the correctness of our representations, would perhaps better subserve the cause of truth by indicating with precision the errors contained in them. Enjoying some advantages for a comprehensive view of the political field, we have habitually published our impressions with perfect sincerity, and, as far as we are conscious of our motives, without 'fear, affection, or hope of reward.' They have been for the most part merely statements of fact, which may be easily verified by references to the map or the statistical table. We have occasionally, though somewhat sparingly, hazarded opinions and conjectures as to the present and future political situation of the

world. In their general scope, the sentiments we have expressed coincide with those of the most enlightened politicians and statesmen of Europe for fifty years past, as is proved by the extracts given in the present article from Ségur, De Pradt, and Favier, which might be multiplied, if necessary, to any extent. In our speculations on this subject, we have little or no credit to claim on the score of originality, nor have we ever presented them as anything different from what we deem them, that is, probable speculations and not certainties. The vague charge of exaggeration can of course only be repelled by an equally vague contradiction. If any real errors can be pointed out in our statements or reasonings, we shall be ever happy to acknowledge and correct them. It is easy to see the interested motives, which may lead a certain class of politicians to represent our views as tinctured with extravagance; but we submit it to their consideration, and that of the public, whether existing facts are altered by pretending to doubt their reality, or dangers averted by denying their existence. In this, as in most other cases, it would in our opinion be a safer course for the interested parties to look the danger full in the face, ascertain its precise character, and act accordingly. The disastrous consequences of pursuing a different policy may already be seen, if we are not mistaken, in the actual situation of some of the great powers of Europe.

Art. VIII.—*Life of Arthur Lee, with his Political and Literary Correspondence, and his Papers on Diplomatic and Political Subjects.* By Richard Henry Lee. Boston. Wells & Lilly. 1829. 2 vols. 8vo.

Little has yet been published, which illustrates the early diplomatic history of the United States. The subject of foreign alliances engaged the attention of the Old Congress almost at the outset of its deliberations, and agents were secretly and openly sent abroad for the purpose of obtaining intelligence, in regard to the views of people and governments in Europe, some months before the declaration of independence. These were followed by Commissioners to treat with France, and by

others to the courts of Vienna, Berlin, and the Grand Duke of Tuscany, and afterwards by Ministers Plenipotentiary to France, Spain, Holland, and Russia.

The first channel of communication between these agents in foreign countries and Congress, was a Committee appointed by that body, denominated the *Committee of Secret Correspondence.* The name was subsequently changed to the *Committee of Foreign Affairs*, but the duties powers, and objects of the Committee seem to have remained the same. This Committee had charge of the foreign correspondence till near the end of the war, when the *Department of Foreign Affairs* was instituted, and Robert R. Livingston appointed the first secretary. It was the custom, however, for all the despatches from abroad to be read before Congress, and the Committee had little to do, except to transmit to the ministers or commissioners the resolves and decisions of the House, with such intelligence as their means furnished, or their discretion dictated. Sometimes despatches were directed to the President, by whom they were handed over to the Committee, after having been read in Congress. It appertained to the Committee to write the answers. But all the letters from agents abroad were considered secret, and as the Old Congress held its sittings with closed doors, the reading of the letters to the members thus assembled was not deemed an act of publication. This course was prescribed by prudence and the nature of the topics discussed in the letters. It is true, that certain particulars would find their way out through the memory of individuals, and thence by an easy transition would appear in the newspapers, especially when they bore strongly on the interests of either of the great parties, into which Congress was divided during nearly the whole war; but for the most part the correspondence was actually kept secret, and nothing was published with the avowed approbation of Congress.

The official letters from our ministers and commissioners in Europe, during the revolution, are full of interest and historical value, abounding in facts and observations on the condition of European countries, rich in maxims of political wisdom, breathing a spirit of liberty, and showing that the authors understood, proclaimed, and defended the rights and just demands of their country, in a manner highly creditable to their talents and strength of character, as well as to their patriotism.

But the records of the Committee at home have little in them worthy of commendation ; they are meagre and jejune, carelessly written, and fertile in nothing. The fault is chiefly to be attributed, perhaps, to the organization of the Committee, which made it the duty of no particular member to answer despatches, and thus took the responsibility from them all. After Mr Livingston came into office, the foreign affairs took another and very improved shape. All despatches were directed to him personally, and he alone was charged with the answers. Nor was he required to bring any letters before Congress, although he was left at liberty to do it when he chose. The responsibility rested with himself. Cases of delicacy and difficulty he would of course submit to that body, preferring to be guided by their voice and instructions, rather than his own unaided judgment. This change in the management of foreign affairs was most salutary, and the same system continued to the end of the war.

Nothing is more rigidly guarded with the seal of secrecy, in the foreign offices of European cabinets, than the diplomatic papers, or correspondence of the ministers at other courts. This caution is necessary, where diplomacy is made a personal concern between sovereigns, and entrusted only to a few confidential ministers, whose business it is to be well practised in the tactics of their vocation, and to maintain the interests, and sometimes the caprices of their master, honestly if they can, but successfully at any rate, and into whose doings it is no part of the people's prerogative to inquire. But in a government like that of the United States, where the acts of every public man are subject to be brought out to the view of the nation, nothing can long be hidden under the veil of secrecy. The consequence is, that the despatches of our foreign ministers are written for the public, or at least with the conviction, that circumstances or events may one day place them before the eyes of the world. The writer is thus impressed with the importance of performing his task with circumspection, and to the full measure of his ability. Hence the artifices of intrigue, the gossip and scandal of courts, and frivolous details about the habits, foibles, or follies of individuals of high rank, which make so large a portion of a European ambassador's correspondence, find no place in the letters of an American diplomatist. These remarks apply with particular force to the

foreign revolutionary correspondence, because it was known that each letter would be read in Congress; and it will be seen when these papers come before the public, that they contain a mass of the most valuable and authentic materials for a history of that period, which have yet appeared, not only in regard to the opinions and acts of our own statesmen, but to the politics of foreign nations.

Much will doubtless be gathered, also, in due time, from the memoirs and private papers of the individuals employed in the foreign negotiations. The Works of Dr Franklin have already added largely to the stock, notwithstanding the imperfect and ill digested manner in which they have been made public, and their manifest deficiency in some essential particulars. Still more widely will the field of knowledge be enlarged by the papers of Adams and Jay, who were several years absent in diplomatic stations of the highest responsibility. And in the work now before us, containing a large portion of the correspondence of Arthur Lee, we are made acquainted with facts little known before, respecting the early foreign relations of the United States, and the attempts to procure alliances and assistance. We propose in the present article to bring together a few hints on this subject, in connexion with such remarks as may be elicited by the work here mentioned.

Arthur Lee was a native of Virginia, born in the year 1740, educated first at Eton College in England, and afterwards as a student of medicine at Edinburgh. Under the eminent lecturers, who at that time filled the chairs in Edinburgh, he engaged with much ardor in various branches of study, both literary and scientific, and at length took the degree of doctor in medicine with a reputation high as a general scholar, and as a candidate for the profession in which he was about to embark. His skill in natural science was proved by a Latin essay on a botanical subject, which gained a prize over several competitors. His studies being completed, he made the tour of Germany and Holland, keeping a journal of the principal occurrences, which his biographer commends as bearing a favorable testimony to his habits of observation, judicious reflections, and happy talent at describing objects and events, that came under his notice. Designing to make his native country the theatre of his future residence and usefulness, he returned to Virginia, and settled as a physician at Williamsburg.

It required but a short experiment in this line, however, to convince Mr Lee, that in the choice of a profession he had mistaken the elements of his character, and the moving springs of his inclinations. The charms of science, pursued in its theories and facts, its beautiful systems and imposing results, had won his admiration, and kindled an enthusiasm, which for a time filled and satisfied his mind; but the spell quickly disappeared, when he began to chain himself to the duties of a practising physician, in which fame and fortune were to be acquired by a process, as slow and uncertain as it was laborious and uncongenial. Little time was lost in deliberation; he resolved to change at once the entire course of his pursuits, and betake himself to the study of the law. With this view he went to London, became a student in the Temple, and applied himself with all the energy and warmth of his character to his new vocation. Here his aspiring hopes had ample room for expansion; all the motives and all the facilities for study were within his reach; the spur of competition and rivalship was present with its quickening force; the rewards of lofty purpose, vigorous effort, and high attainment, were before his eyes, and open to his grasp; the society of eminent lawyers, statesmen, and scholars, contributed to enlarge his knowledge of men and things, at the same time it added a fresh impulse to his activity, and raised higher the standard of his ambition. The friendships which he formed, even while a student in the Temple, with such men as Burke, Dunning, Glynn, Dr Price, and Sir William Jones, are proof enough, that all these circumstances conspired with effect to press him onward, and bring him into a notice by no means common for a young man in that stage of his legal progress. But Mr Lee's mind was restless as well as active; excitement was to him the *pabulum vitæ*, and he loved to ride in the storms raised by men's passions in the social and political atmosphere. The party violence, which ran so high at that time in Great Britain, gave him an opportunity of indulging this tendency of his disposition to its full extent, and in a cause to which he devoted all his powers.

The contest with the colonies had already begun to assume a serious aspect, and the friends of liberty on both sides of the water had taken a bold and determined stand against the threats of tyranny, and the encroachments of unlawful power.

Moved by a genuine and elevated patriotism, Mr Lee took the part of his native country with a zeal as untiring as it was ardent. He seemed animated by the same spirit in London, which so eminently distinguished his brother, Richard Henry Lee, in America, and before he arrived at the age of thirty he had done much, both by his writings and his personal exertions, to make the British public better acquainted with the interests of the colonies, their just claims, and their unalterable determination to maintain their rights and their liberties at any sacrifice. His *Monitor's Letters*, which were addressed to the people of the colonies, his letters signed *Junius Americanus*, and his *Appeal to the English Nation*, were circulated widely in Great Britain and America. He belonged to patriotic clubs, and wrote spirited and able Addresses, which went forth under the sanction of those bodies. These services made him known in his own country, and pointed him out as a suitable person to be entrusted with her interests. Dr Franklin had been some years in England, as agent for several colonies, and among others for Massachusetts. As early as the year 1770 the Assembly of Massachusetts appointed Mr Lee agent for the colony, to take the place of Dr Franklin whenever he should return; and although this event did not occur till the spring of 1775, yet Dr Franklin speaks with approbation of the aid he received from the assiduity and patriotic zeal of his countryman. After Franklin's departure, Mr Lee became the sole agent, and it was through him that the British Cabinet received the first authentic intelligence of the battle of Lexington.*

* All the papers relating to the transactions of that eventful day, comprising an address from the Provincial Congress of Massachusetts to the inhabitants of Great Britain, a letter to their agent, and the depositions taken at Lexington relative to the commencement of hostilities, were sent to England by Captain Derby, in a quick sailing packet despatched expressly for the purpose. Captain Derby landed at Portsmouth, went speedily up to London, and put the papers into the hands of Mr Lee. Meantime the news spread rapidly throughout the kingdom, and caused much perplexity and uneasiness in the minds of the ministry. They at first considered it, or professed to consider it, a false alarm, caused Captain Derby to be strictly examined, and endeavored to allay the excitement of the people by publishing through the proper organ, that this report could not be true, as no communication to that effect had been received from General Gage. In a few days, however, the ministry and the nation were relieved from sus-

From this date there was no longer any occasion for a colonial agent in London. All intercourse had ceased. The ties of union and friendship had been severed by the sword; the charter of freedom had been stained with the blood of its defenders, and its invaded sanctuary was now to be protected by other means, than unheeded appeals to truth and justice. Thus relieved from the duties of agent, Mr Lee devoted himself to practice at the bar, till his services were solicited in another direction. Soon after the assembling of the second Continental Congress, in September, 1775, a plan was agitated for opening a communication with persons residing in foreign countries, for the purpose of advancing commercial and political objects. In November the Committee of Secret Correspondence was appointed for this end, who were authorized to correspond with such persons as they might select in Europe, to procure as much intelligence as they could, respecting the designs and movements of the English government, as well as other foreign powers, and to aid the commercial enterprises of individuals. Dr Franklin was the first chairman of this committee. A letter, in an official form, was despatched from the committee by a confidential messenger, who was instructed to deliver it into the hands of Arthur Lee, in London, and another also of the same purport to M. Dumas of Holland, a friend of Dr Franklin's. In this letter the objects of the committee

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pense, by the arrival of a British packet with the official confirmation. The next letter to General Gage contained a sharp reprimand for his tardiness, and an express order, that ever after a packet should be kept in readiness for the immediate transmission of important intelligence.

The papers were directed to Dr Franklin, but as he had already left England, they were delivered to Mr Lee, as his successor. The *originals* are now in the archives of Harvard University, where, with other papers of Mr Arthur Lee, they have been deposited by his biographer. The same gentleman has also deposited the papers of Richard Henry Lee with the American Philosophical Society at Philadelphia. This example merits praise and imitation. Papers retained in private hands, passing as they do from one possessor to another, are soon scattered and lost, or if not, they are comparatively useless; whereas, in the repository of a public institution they are regarded as a sacred trust, carefully preserved, and accessible for all purposes of utility and historical interest. Considering the fleeting nature of manuscripts of this sort, and the power of accident over them, no person could show more respect for the memory of an ancestor, than our author has done in the disposition he has made of the papers, that had fallen under his charge.

were briefly enumerated, and papers were enclosed, which Mr Lee was desired to have printed and circulated in England. He was told, that it would be agreeable to Congress to know the disposition of foreign powers towards them, as far as such knowledge could be obtained. Impenetrable secrecy was enjoined. Two hundred pounds were remitted to defray immediate expenses, and compensation for trouble was promised. He was requested to send despatches by an express-boat, when he should deem the intelligence sufficiently important.

Immediately after receiving this letter, Mr Lee applied himself to the task of executing the commission it contained. His political connexions gave him facilities for ascertaining the views of the ministry, and the preparations for conducting the war that was now actually begun in America. The intelligence, which he communicated respecting these subjects, was of essential service to Congress, for he was observing, inquisitive, and indefatigable.* He, moreover, found means to procure interviews with the French minister in London, who manifested an interest in the proceedings of the Colonies, and a desire to gain as much knowledge as possible respecting their present condition, intentions, and prospects, which he forwarded without delay to his court.

It is here to be observed, that, from the very commencement of a decided opposition in the Colonies, the Cabinet of Versailles had seriously deliberated on the course, which they should adopt in the approaching contest. No topic perhaps was ever more patiently or elaborately discussed, than this was by the French Ministry, more than a year before any symptoms appeared, from which their ultimate purpose could be inferred. It was soon discovered, that there was a difference of opinion among themselves; for while it was unanimously agreed, that England had taken an undue advantage of the embarrassed circumstances of France in the late treaty of

* His letters were usually entrusted to a confidential person, who was to deliver them with his own hand. They were without signature, and enclosed in an envelope with a fictitious address. They were commonly directed to Lieutenant Governor Colden of New York, who was a royalist. In case any accident had happened to the messengers, therefore, the letters would have been forwarded to him, without any suspicion of their true origin.

Paris, and that justice and policy prompted them to weaken the English power by all honorable means, yet there was a party, who could not at once be reconciled to the doctrine, that it was consistent with the faith of treaties for one nation to interfere in the domestic quarrels of another, and above all to lend direct support to revolted Colonies, already in arms against their sovereign. The king himself was one of this party. But Vergennes, and the prime minister, Maurepas,* took the lead of the opposite party, and were unequivocal in their opinion, that the interest of France required her to promote a separation between England and her American Colonies, and that this step would neither be a violation of the faith of treaties, nor at variance with the strictest justice. As the king and some of the ministers were to be brought over, or at least their scruples removed, it was found necessary to discuss the subject minutely, both in regard to the principles it involved, and its political bearings and possible issues. Memoirs were written by the respective ministers, read in council, and examined in detail. The great talents and learning of the eminent jurist, Pfeffel, and of the still more eminent publicist, Favier, were called into action on this occasion, and the papers they produced unquestionably had much weight in giving a more decided and uniform tone to the sentiments of the Cabinet. They were both on the side of Vergennes. The argument of Pfeffel was a masterly display of ability, knowledge, and reasoning. He supported his positions on the ground of equity, legal precedents, historical acts, and the laws of nations, and drew from the whole the general inference, that it was lawful and right for France to espouse the cause of the Colonies, in opposition to the authority and the arms of Great Britain.

By degrees the whole Cabinet came so far into these views, that it was resolved to make them the rules of their policy, and the guide of their future measures. But it was obvious, that a system like this, openly pursued, must bring about an immediate war with England. For such a result, neither the ministry nor the nation was as yet prepared. The only mode of executing the plan for the present, therefore, was to afford secret aid to the Colonies, and wait for the developement of

* The biographer of Mr Lee calls Vergennes prime minister. This is a mistake; he was Minister of Foreign Affairs.

events, and till the finances, navy, and army were in a better condition, before a more decided step should be taken. While deliberating as to the best manner of sending such aid, and at the same time securing absolute concealment, intelligence was received from the French minister in London, that a secret agent of Congress was there, through whom their object might probably be attained. A person, who afterwards proved to be M. de Beaumarchais, was despatched by the ministry to London for the purpose of further inquiry. He visited Mr Lee at his rooms in the Temple, and informed him, that the court of France proposed to send two hundred thousand pounds sterling to the aid of the Americans in specie, arms, and ammunition, and that the only difficulty in the way was to ascertain through what channel the remittance should be made. St Eustatia, Martinique, and Cape François were mentioned, and it was finally concluded, that the Cape was the best place; and Mr Lee's visitant said the goods would be ready there, and might be received by inquiring of the commandant for *Monsieur Hortalez*. He moreover requested, that a small shipment of tobacco might be sent from some of the American ports to Cape François, by which the affair might take the color of a mercantile transaction, and thus suspicions be avoided. This arrangement was made in the spring of the year 1776, and, as soon as it was settled, M. de Beaumarchais returned to Paris.

Meantime the Committee of Secret Correspondence had sought a more extensive and substantial intercourse with Europe, and appointed Silas Deane to go to France as commercial and political agent. He sailed from Philadelphia on the fifth of March, in a vessel bound to Bordeaux; but as an accident happened to the vessel, he was obliged in a few days to return to the same port. He next embarked in a sloop for Bermuda, where he chartered another sloop for France, and arrived in Bordeaux on the sixth of June following. Here he expected to meet several vessels from America, which were to be sent out by the committee of Congress, with a view of supplying him with means to effect the mercantile objects of his mission; but nothing had been heard of them. Assuming the character of a merchant from Bermuda, he waited a few days at Bordeaux, but receiving no intelligence of these vessels, he proceeded to Paris, where he arrived the first week in July.

By his instructions he was to appear in Paris as a merchant, employed in purchasing goods for the Indian trade in America. He also had a letter of credence, as an authorized agent of Congress, which he was directed to present to the Count de Vergennes, in case he should succeed in obtaining an audience of that minister; and on such an event, moreover, he was to say to the minister, that the Congress, finding it impracticable in the usual course of commerce to furnish the American forces with arms, ammunition, clothing, and other military supplies adequate to the defence of the country, had sent him abroad with authority to make application to some European power for these aids, and that France had been applied to, because, in case of a separation between Great Britain and the Colonies, France was the power whose friendship it would be most advisable to obtain and cultivate; that the trade of the American Colonies was rapidly increasing; that by securing their friendship, France might derive from them great commercial advantages, as England had hitherto done; that what they now wanted was arms and clothing for twenty-five thousand men, ammunition, and one hundred field-pieces; that they intended to pay for them by remittances to France, or through Spain, Portugal, or the French West India Islands, as soon as their navigation could be protected; and that, finally, if these supplies should be granted, it might be well for them to be convoyed by two or three ships of war. If Count de Vergennes should be communicative on these topics, Mr Deane was to carry the conversation further, and touch gently upon certain political queries, such as what would be the views of France, if the Colonies should be driven to declare their independence, and set up a government of their own, whether France would recognise this government, receive ambassadors, and form alliances, and on what terms.

Armed with these instructions, and with his letter of credence in his pocket, Mr Deane went out to Versailles, having previously solicited an audience of the minister, through the intervention of M. Dubourg, a friend of Dr Franklin, and an eminent physician in Paris, to whom Mr Deane had brought letters. Count de Vergennes received him politely, and kept him through a conversation of two hours, listened attentively, asked many questions, and showed by his remarks and inquiries, that the subject was one to which he had already given

much attention. After Mr Deane had gone methodically through with the thread of his instructions, which he was encouraged to do by the manner in which the minister sustained the interview, Count de Vergennes replied, that the importance of the American commerce was well known, and that a friendly intercourse was equally advantageous to the Colonies and France, and it was for this reason, that the court had ordered the French ports to be opened equally to America and England; that, considering the subsisting relations between the courts of London and Versailles, no encouragement could be openly given to a traffic in warlike stores to be shipped to America, but that no obstructions would be interposed; that Mr Deane was at liberty to carry on any commerce he chose in the kingdom, and that he might consider himself under the immediate protection of the government; that, as to independence it was a subject enveloped in the darkness of the future, of which it was improper for him to speak, till such an event had actually taken place. He advised Mr Deane to continue for the present in the character of a merchant from Bermuda, and informed him that the British Ambassador knew of his being in Paris, and that his motions would be watched. After much conversation about the state of things in America, and telling Mr Deane that he might at all times hold intercourse with M. Gerard, the principal secretary in the foreign department, and with himself when anything of importance occurred, which should seem to require it, the interview ended.

Such was the tenor of the first conversation between an agent from the assembled American States and a European minister. It was Mr Deane's next task to look around for a credit, in the name of Congress, and endeavor to procure such articles as he wanted. He soon found this impracticable. Intelligence had arrived of the defeat of Montgomery at Quebec, and the disasters in Canada. The British Ambassador and other agents in France took great pains to spread the rumor of a speedy termination of all difficulties, by a reconciliation with the Colonies, and a restoration of order and harmony. With such prospects, no merchants nor capitalists could be found, who would give a credit to Congress, without adequate security from some established house in Europe. This security the American agent could not command. No remittances had yet been received from home, and the bills which he had brought

with him, as ready money, had in great part been protested and returned upon his hands.

In this state of perplexity he became acquainted with M. de Beaumarchais, who proposed to furnish the supplies, allow a reasonable time for payment, and take the risk of the security of Congress pledged by Mr Deane. As Beaumarchais was unknown in the commercial world, devoted rather to pleasure than to business, and more distinguished as a man of letters, than for any talents or resources in the mercantile or financial line, the friends of Mr Deane considered this a mere speculating enterprise, which M. de Beaumarchais could not carry through, and which would in the end lead them both into infinite embarrassments. Mr Deane had the precaution to consult the Count de Vergennes on the subject, who told him that no concern need be felt, as to the character and means of M. de Beaumarchais, and that he would unquestionably fulfil all his contracts and promises. Such a pledge rendered any further suspicion or delay unnecessary, and the proposals of Beaumarchais were accepted.

A list of articles was made out by Mr. Deane, which embraced clothing for twenty thousand men, thirty thousand fusils, one hundred tons of powder, two hundred brass cannon, twenty four brass mortars, with shells, shot, lead, flints, and the like, in proportion. These articles M. de Beaumarchais undertook to procure, and said he could purchase the cannon and mortars, and, he thought, some of the fusils, out of the king's arsenals, and could possibly obtain a credit of eight months, and perhaps longer. In the end, however, he was not so successful in this respect as he had hoped to be; for he could obtain only a small part of the fusils from the king's arsenals, being obliged to purchase them nearly all from private individuals. There was little difficulty or delay, however, in procuring from some quarter the articles enumerated in the list. The cannon and mortars were all from the arsenals.

The next point to be settled was the mode of shipping these supplies to America. A contract for this purpose was made by Mr Deane with M. Montheu, who was to furnish ships to transport the whole at a certain freight, for the payment of which M. de Beaumarchais became responsible. But their operations were continually beset with fresh difficulties. The cannon were mostly at Strasburg, and the other articles at

magazines in the interior. All these were to be conveyed to the seaports. Such a transportation could not be effected secretly ; and the moment they began to move, there were British spies everywhere ready to give notice to Lord Stormont, the English Ambassador in Paris, and thus to excite an alarm in the Cabinet at Versailles, where the greatest possible precaution was observed, that nothing should be openly done, which could give the least color of pretence to the British Ministry to charge them with a breach of treaty. Hence orders were issued to stop these articles, on their passage through the country, and then counter orders to let them move again, thus perplexing the agents and increasing the expense. And when all these embarrassments had been overcome, and the materials had been collected into the several ports of Marseilles, Nantes, Bordeaux, Havre, and Dunkirk, and the ships for receiving them had been got ready in those places, then new orders would come from court prohibiting their embarkation. Spies were stationed in these ports, who watched every movement, and sent constant intelligence to the British Ambassador at Paris. His hints to the ministry, and sometimes open remonstrances, caused this wavering conduct on their part, which brought the affairs of Deane and Beaumarchais into almost inextricable confusion.

Such was the aspect of things at the end of November, when Beaumarchais went to Havre, with the view of despatching two of the ships from that place. He succeeded in getting one to sea, the Amphitrite ; but his going there became publicly known, and before he could load and send off the other, orders arrived from court to stop them both, and the same orders were sent to the other ports. Nothing more could be done at present. The Amphitrite went to sea, but by reason of contrary winds and disputes among the passengers she put back to L'Orient. Another effort was made by M. de Beaumarchais, and he contrived to despatch this ship a second time, ordering her to be cleared out for the West Indies. She arrived at Portsmouth, New Hampshire, in the month of April following, and brought a most seasonable supply of ten or twelve thousand stand of arms, about sixty pieces of cannon, and a large quantity of clothing and blankets. They arrived very opportunely for the succeeding campaign. When the captain returned to France, he was imprisoned for violating

the tenor of his papers, by which he was cleared out for the West Indies.

It may be well to mention here a part of Mr Deane's conduct, which was much censured by Congress, and was indeed the origin of the hostility towards him, which gradually gained strength, and ended in his recall. Almost as soon as he arrived in Paris, he was beset by various persons in the military line, who wished him to recommend them to Congress for employment in the army, and he actually engaged a certain number, promising them specific rank and pay in the American service. Among this number were Lafayette and the Baron de Kalb, who were to have the rank of major general, to date from the time of their contract with Mr Deane in Paris. Such an assumption of authority was evidently as indiscreet as it was unauthorized, for it must inevitably derange the plans of Congress in regard to the army, and produce uneasiness and dissatisfaction in the American ranks. In justifying himself, Mr Deane did not pretend, that he had any direct authority for this measure, but said his own impression at the time was, that able and experienced officers from Europe would be of essential service in the American army; that, moreover, it was deemed important in France to send out such officers with the military articles; that he was solicited in strong terms from the highest sources to receive these officers; that the state of his affairs rendered the influence of friends and patrons in the elevated ranks absolutely essential, and that this was the most effectual mode of gaining it. This last cause he says was in truth the origin of his contracts with officers, which he supposed to be justifiable also on the other grounds here mentioned. The result created so much perplexity in Congress, discontent in the army, and ill feelings among the disappointed French officers, who came over, that the arrangement proved a very unlucky one, whatever may have been Mr Deane's reasons for making it; and not less unfortunate to himself than to others, for it weakened the confidence of Congress in his judgment, and excited a suspicion, that he might be induced to overleap the limits of his powers in other things with as little reluctance as in this.

The time had now arrived, when Congress, having declared the independence of the States, and established a separate government, began to think of seeking more intimate relations

with foreign countries. In the month of September, commissioners were appointed to proceed to France, as ministers from Congress, to propose a treaty of commerce with the French king, and solicit aids in carrying on the war. The first commissioners chosen were Dr Franklin, Silas Deane, and Thomas Jefferson. The appointment was declined by Mr Jefferson, and his place supplied by Arthur Lee. These commissioners met in Paris about the middle of December. The plan of a treaty had already been drawn up and adopted by Congress, which, together with the commissioners' instructions, was carried out by Dr Franklin. Congress enjoined secrecy on themselves in regard to this mission, and Dr Franklin's arrival in France was totally unlooked for, and excited much speculation in Europe.

The commissioners had an early interview with the Count de Vergennes, to whom they presented their commission, and the articles of the proposed treaty of commerce. Protection was promised to them, and a due consideration of their proposals. In a few days (January 5th, 1777,) they laid before the Minister a memoir, prepared at his request, and containing the substance of their instructions. By a resolution of Congress they were required to apply to France for eight ships of the line, well equipped and manned at the expense of the United States, and to be procured either by loan or purchase, as might best suit the French Court. This request was urged in the memoir, as also another for an immediate supply of twenty or thirty thousand muskets and bayonets, a large quantity of ammunition, and brass field-pieces. It was hinted, that unless some speedy assistance of this sort should be afforded, the United States might yet find themselves too weak for their enemies, and be compelled to bring the contest to a close by an accommodation. The extent and value of the American commerce, and its importance to France and Spain, were likewise set forth in their best attitudes, and proper arguments used to impress the whole in a forcible manner on the minds of the French Cabinet, and of Count d'Aranda, the Spanish Ambassador in Paris, to whom all the above communications were at the same time addressed. The Commissioners seem to have looked upon the interests of the French and Spanish Courts as the same, and to have considered themselves equally authorized to treat with both. In fact they were furnished with a gen-

eral power by Congress to treat with any foreign nation, in conformity with the outlines of the treaty and instructions which they had received for France.

The language of the Minister, in reply to their representations and requests, was nearly the same as had all along been held to Mr Deane; that the relation in which his Most Christian Majesty stood to the king of Great Britain was such, that no approaches could as yet be made towards a treaty with the United States, nor any part taken in the contest, which should betray a want of fidelity to the principles of existing compacts; that the king was friendly to the States, and would give them all the commercial privileges in his ports, which were enjoyed by other nations; and that the commissioners might feel themselves under the protection of the government while in France, and communicate freely with the Ministers on the subjects relative to their mission.

Such being the tone of the French policy, it was evident to the commissioners, that for the present there would be no pressing duties which would require them all to remain in Paris. From certain indications they were led to believe, that a visit of one of them to Spain would be advantageous, and this suggestion was approved by the French Cabinet and the Spanish Ambassador. It was agreed, that Mr Lee should undertake this mission, and, having obtained his passports, and a letter from Count d'Aranda to the Spanish Court, he left Paris for Madrid on the seventh of February. After a short detention at Nantes and Bordeaux he proceeded as far as Burgos, within about a hundred and twenty miles of Madrid, where he was met by an express with a letter from M. Gardoqui, an eminent merchant of Bilboa, who was then in Madrid, and who had written to Mr Lee by direction of the Ministers. It appears that this visit from Mr Lee was unexpected by the Spanish Court, and that they were probably informed of it by a quick messenger despatched either by Lord Stormont to the English Ambassador in Madrid, or by the Count d'Aranda. At all events Mr Lee was desired not to come to the capital, as it would be impossible for him to remain there in disguise, and his presence would only tend to embarrass the Spanish Court without rendering any service to the cause of his country. This was said in allusion to the umbrage that would be taken by the British Ambassador, if it were known that a public agent

from America was in open intercourse with the government of Spain, and to the representations he would make to the English Ministry. M. Gardoqui, who was selected as the channel of communication, had been long concerned in the American trade, was well acquainted with the English language, and for these and other qualifications was pitched upon as a suitable person to carry into effect the immediate designs of the Spanish government, in regard to the affairs of America.

At Burgos Mr Lee was met privately by the Marquis de Grimaldi, one of the ministers of state, and M. Gardoqui. Here the American deputy was given to understand, that in the present state of things the king deemed it unadvisable for him to go to Madrid, that sound policy forbade such a step, and that on the whole it was best for him to retire to Bayonne, and wait the further decision of the Court. Mr Lee remonstrated against these suggestions, alleging that to receive him at Madrid was no breach of neutrality on the part of the Spanish government, that the British Ambassador there had no more ground of complaint at the reception of an American agent, than Lord Stormont had in Paris, where commissioners had been residing for several months with the entire approbation of the king of France, and that, in short, as his coming to Spain could not but be known in Europe as well as America, it would be ungracious to Congress, and injurious to their interests, for him thus to be prohibited from the Spanish dominions, more especially after he had been encouraged to undertake the journey by the French Ministers and the Spanish Ambassador in Paris. This remonstrance had no other effect, than to prolong his residence for a few days in Spain, but he was not allowed to approach any nearer the capital. On the contrary, he was desired to return to Vittoria, where he was again met by the Marquis de Grimaldi and M. Gardoqui, and where their further interviews were conducted with the utmost secrecy.*

Mr Lee presented a memorial to the Marquis de Grimaldi, describing the condition and prospects of the United States, and the nature and progress of the revolutionary contest in which they were engaged, and urging the importance to France and Spain

* The Marquis de Grimaldi told Mr Lee, that 'the Count d'Aranda had been reprehended by his Court for not dissuading him from coming to Spain.' *Life, &c.* Vol. I. p. 359.

of embracing so favorable an opportunity to humble the power of England, and secure the friendship of a new nation, and the permanent benefits of its valuable and increasing commerce.* The reply of the minister was brief and explicit. 'You have considered your own situation and not ours. The war with Portugal (France being unprepared and our treasure from South America not yet arrived) makes it improper for us to declare immediately. These reasons will probably cease within a year, and then will be the moment.' It seems to have been resolved, however, before Mr Lee's arrival, to render secret assistance to the Americans, and the plan of effecting it was settled at these interviews. The result of the whole is thus expressed in Mr. Lee's own words, as recapitulated in a letter to Count de Florida Blanca. 'That for very powerful reasons his Majesty cannot at this moment enter into an alliance with the United States, nor declare in their favor; that, nevertheless, they may depend on his Majesty's sincere desire to see their rights and liberties established, and of his assisting them as far as may be consistent with his own situation; for that purpose the house of Gardoqui at Bilboa would send them supplies for their army and navy from time to time; that they would find some ammunition deposited for them at New Orleans, the communication with which would be much secured and facilitated by their taking possession of Pensacola; that their vessels should be received at the Havana upon the same terms as those of France; and that the Ambassador at Paris should have directions immediately to furnish their commissioners with credit on Holland. The Marquis added, that his Majesty would do these things out of the *graciousness of his royal disposition, without stipulating any return*, and that, if upon inquiry, any able veteran officers could be spared from his Irish brigades, the States should have them.' With this result of his negotiation, Mr Lee, in a letter to Congress, expressed himself well satisfied. 'As to an immediate declaration in your favor,' he observes, 'they say this is not the moment, and for reasons, which, if I might venture to commit them to paper, I think you would deem satisfactory. The same rea-

* Mr. Lee's biographer says that 'this memorial was composed by him in the Spanish language.' But this can hardly have been the case, since in writing to Congress Mr. Lee observes, that 'M. Gardoqui has been employed as interpreter in all our business.'

sons render an explicit acknowledgment of your independency, and a treaty of alliance with you, inadmissable at present.' The business of the meeting being thus finished, the Marquis de Grimaldi returned to Madrid, and Mr Lee, after making arrangements with M. Gardoqui to ship as soon as possible to the United States supplies of sail and tent cloths, cordage, blankets, and warlike stores, made his way speedily back to Paris, where he rejoined the other commissioners, after an absence of seven weeks.

This promise on the part of Spain was faithfully complied with, though perhaps not to so full an extent as Mr Lee was led to hope. More than one shipment was made by M. Gardoqui of articles procured by him, at the expense of the government, and secretly despatched to confidential agents in the United States for the use of Congress. In addition to these supplies, the amount of money actually remitted to Mr Lee was three hundred and seventy-five thousand livres. This money was nearly all expended in Spain for the purchase of supplies, which M. Gardoqui shipped by Mr Lee's order to the United States. The money, and the goods sent by Gardoqui exclusive of these purchases, were a gratuity from the king of Spain, for which it was understood at the beginning that no return was to be made. During Mr Lee's absence, Dr Franklin had received from Congress a commission conferring on him separate powers as a commissioner to the Spanish Court, and authorizing him to enter into a treaty with that government, or make any arrangements that should promote a friendly intercourse, and advance the great ends of the war. As Mr Lee's mission had accomplished everything that could be expected at present, Dr Franklin did not go to Spain. It has been said, that more than a year previous to Mr Lee's mission, Spain had sent a million of livres to France for the Americans, but we have seen no proof of such a fact, nor do we think it probable.

The commissioners in Paris continued to busy themselves in getting off as secretly as possible the supplies, which had been furnished by Beaumarchais before their arrival, and they gradually effected the shipment of the whole, as well as a large quantity which they contrived to purchase in other quarters. The French ministry winked at these transactions, but occasionally threw obstacles in the way as heretofore, when the

English Ambassador remonstrated or complained. Meantime the American cruisers, who hovered around the English coasts, and in the neighboring seas, began to bring their prizes into the French ports. This created fresh difficulties, as it was a manifest encroachment on the rules of neutrality. Some of these prizes were seized and sold by direction of the government, others were ordered off, and others again were detained for legal adjudication. The ministers expressed dissatisfaction at the boldness and unceremonious conduct of these cruisers, and the commissioners were infinitely perplexed with the novelty and variety of the cases, that were almost every week occurring, as they wished, on the one hand, to aid as far as possible the enterprise and activity of privateers in harassing the enemy's commerce, at the same time that every motive of policy and interest required them to study the disposition and conform to the will of the Court. Indulgences were sometimes granted in a concealed manner, and orders of release obtained, but the system of adhering in all open transactions to the letter of the treaties continued, till a war with England was understood to exist. Nevertheless, assistance of a substantial kind was afforded. Soon after the commissioners arrived in Paris, they were informed that two millions of livres would be appropriated to the use of Congress, and paid in Paris by quarterly instalments of five hundred thousand livres each. The first payment was advanced immediately. This money the commissioners resolved to reserve for the exclusive purpose of paying the interest of the loan in the United States, occasioned by the emission of paper money, and they wrote to Congress that bills might be drawn on them from time to time for this purpose, to the full amount of the money thus granted by the French king. By this prompt payment of interest they hoped to keep up the credit of the currency. A large portion of this money was, however, diverted to other objects. Their own expenses they expected to discharge by the proceeds of cargoes to be sent by Congress to France.* This

* The salaries of the commissioners were not limited to any specific sum. Congress resolved merely, that 'they should live in such a style and manner as they might find suitable and necessary to support the dignity of their public character,' and that their expenses should be reimbursed by the United States; and also, 'that besides the actual expenses of the commissioners, a handsome allowance should be made to each of them, as a compensation for their time, trouble, risk, and services.'

was the understanding when the commissioners were appointed, but owing to various obstacles at home, and the obstructions of navigation, very few such shipments were successful, or even attempted. The commissioners increased their resources, also, by a contract with the Farmers-General for Congress to send them five thousand hogsheads of tobacco, they agreeing to pay for the same one million of livres in advance, and another million as soon as the first ships with tobacco should arrive. With these funds they purchased an additional stock of military supplies, and began to build a frigate at Amsterdam, and another at Nantes. They were authorized by Congress to borrow two millions of pounds sterling in Europe, but they found no means of effecting any part of this loan.

Such were the general operations of the commissioners during the first year of their residence in Paris. They lived there in the character of individuals acting as agents in public affairs, but not recognised by the government as holding any public capacity.

It had been early intimated to the commissioners, that the king of Prussia was favorably inclined to the interests of the United States, and that, if applied to, he would probably receive an agent at Berlin, as the French Court had done at Paris. They had a correspondence on the subject with the Baron de Schulenburg, one of the ministers of state, in which they informed him, that it was the intention of Congress to send a minister to the Prussian Court to solicit its friendship and good offices; but as considerable time must elapse before this could take place, and as it was of great importance to establish quickly a free commerce between the two nations, they proposed that one of their number should proceed very soon to Berlin, who might explain personally the situation of America, and the advantages to be derived to Prussia from an amicable and commercial intercourse with that country. It was agreed that Mr Lee should go on this mission, and he wrote accordingly to the Prussian minister, that he should soon commence

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The average expense of each commissioner was about £3,000 sterling ($13,333) a year.

In October, 1779, the salary of a minister was fixed at £2,500 sterling ($11,111), and that of a secretary of legation at £1,000 ($4,444.)

In May, 1784, the salary of ministers was reduced to $9,000, and that of secretaries to $3,000 per annum.

the journey. In the minister's reply, he discouraged this step, advising that it should be deferred for some time, that he apprehended many difficulties in the way at present, and that he considered their correspondence rather as 'preliminaries to what might come to pass, than as negotiations from which any immediate advantages could be expected.' Before this letter reached Paris, Mr Lee was on his way, and, taking Munich and Vienna in his route, he arrived in Berlin unexpected by the minister, who expressed some surprise that he should come without knowing beforehand whether it would be agreeable to his Majesty. He informed him, however, that there could be no objection to his remaining there as a traveller and a private individual; that he should be pleased to learn from him whatever he had to propose, and discuss freely any topics of interest relating to his mission. The king was then absent reviewing his troops.

The immediate objects of Mr Lee's visit were these. First, to ascertain whether a minister appointed by Congress would be received at the court of Berlin; secondly, to concert measures for establishing a regular commerce between Prussia and the United States; thirdly, to endeavor to gain admission for American cruisers into the Prussian ports for the purpose of careening, supplying themselves with necessaries, and disposing of their prizes; fourthly, to obtain aids in artillery, arms, and money, on the same footing as in France and Spain; fifthly, to intercede with the king to use his interest in preventing any further accession of recruits to the German forces already in the employment of England. The minister entered into a correspondence with Mr Lee on these points, the substance of which was, that although the king had the best disposition towards the United States, the time had not yet come for any definite arrangements, implying a concert of interests or movements between the two countries. As to admitting a public agent, M. de Schulenburg observed that the king had considered it, and resolved to the contrary, having 'pledged his honor to the king of Great Britain not to interfere in this dispute.' In regard to commerce, he believed many advantages might be derived from it when once established, but there were insurmountable difficulties in the way of beginning it in the present state of affairs; the Prussian sailors were unacquainted with the navigation, the merchants had no vessels suited to such voyages, insurance could not be easily effected, and not at all,

except at a high rate. The proposition for admitting privateers could not be listened to, because such an act would tend to embroil his Majesty with the Court of London, which was repugnant to his interest and his principles; and, moreover, it would create embarrassment and confusion in his Majesty's ports, where none but merchant vessels had ever been received, and the officers were unacquainted with the usages appertaining to ships of war and privateers; it would be soon enough to consider this subject, when it was ascertained what course France and Spain would pursue, the formalities adopted by them, and their mode of explaining the admission of American privateers into their ports, consistently with the professed bonds of friendship existing between them and Great Britain. Again, as to granting aids in arms, munitions of war, or money, the objections last enumerated were equally strong against this proposition. And, finally, the contract of the German princes to hire their troops to the English was an affair, in which the king had no right to interfere directly, but he disapproved it, and should throw such discouragements in the way of its execution, as circumstances would admit. In short, the sum total of Mr Lee's negotiations was, that his Majesty the king of Prussia was very willing to see the Americans succeed, but in his present condition, having before him the threatening prospect of a war with a powerful enemy, it was absolutely necessary for him to keep on terms with England, and that there was not the least hope of his being induced to sanction any act or measure, which should bring into question his rigid adherence to the principles of his alliance with that power. The minister desired Mr Lee, however, to continue his correspondence, assuring him that it would be gratifying to the king to receive all the intelligence which could be obtained, respecting the progress of events in America.

Although Mr Lee appeared in Berlin as a private individual, yet his official character as commissioner in France was known, and of course the presumption was, that he was detained by something more than a traveller's curiosity in that capital. It was natural, that the British Ambassador should wish to penetrate the designs of so suspicious a visitant. A singular proof of this desire occurred not many days after Mr Lee's arrival. While he was at dinner, some person unknown contrived to get into his chamber, break open the desk, and carry off his papers. As soon as the discovery was made, he applied to

the police, and several depositions were taken, which fixed the theft with great probability on a servant of the British Envoy. Some degree of alarm being raised by this process, the papers were secretly brought back in half an hour after the loss was discovered, and laid down at Mr Lee's door. The matter was referred to the minister and the king, but it was not a case which required the formal notice of the government, particularly as Mr Lee was not recognised as acting in any public capacity.*

After five weeks' residence in Berlin, Mr Lee returned to Paris. In his future correspondence with Schulenburg, which continued for more than a year, he communicated constant intelligence of the military operations in America, and the doings of Congress, with which the Prussian minister assured him the king was highly pleased. No intimations were given, however, that any of the objects solicited by the American commissioner would be granted. On one occasion, it is true, the Prussian diplomatist went so far as to say, that 'his Majesty would not be the last power to acknowledge the independence of the United States,' and on another, that 'he would not hesitate to acknowledge it, whenever France, which was more interested in the event of the contest, should set the example.' These proved only to be words of form. They were not verified in time to be of any service to the United States. One privilege Mr Lee gained, or what he thought to be a privilege at the time, though it turned out a dear one in the

* Our author says, that the British Envoy was recalled at the request of the king of Prussia, in consequence of his agency in this affair of the papers. But this wants proof.

In the year 1800, Mr John Quincy Adams met this same Envoy at Dresden, of whom he speaks as follows in relation to this subject.

'After observing that it was now a circumstance, that might with full freedom be talked of as a mere historical occurrence, he solemnly declared, that the seizure of Mr Lee's papers was not made by his orders; that it was entirely the act of an officious servant, who thought to do him a service by it; that when the papers were brought to him he did look them over indeed, and found among them only two of any consequence; one the draft of an unfinished treaty with Spain, and the other a letter from Frederic the Second, or one of his ministers, promising that if any great power in Europe would set the example of acknowledging the independence of the United States, he would be the first to follow it. I am inclined to believe that this account is true, and I was pleased to see the anxiety with which Mr E. wished to remove the imputation of having premeditated that act of violence.'—*Letters on Silesia*, p. 258.

end. More than a year after he left Berlin, the Baron de Schulenburg wrote to him, that he might purchase arms and fusils of the government manufactories, and sent him prices of various articles. Mr Lee ordered the purchase of eight hundred fusils, which were shipped by way of Hamburg to Bordeaux. Upon inspection they proved to be 'of the worst and most ordinary workmanship imaginable.' Mr Lee considered himself imposed upon and defrauded by the agents in this transaction, and wrote back a letter to the minister, couched in terms of no little severity, and demanding redress from the manufactories. Whether from its tone, or from whatever cause, the letter was not received very graciously, and M. de Schulenburg replied, that the fusils were not known to be of an inferior quality, and the mistake, if there was any, had originated in the vagueness of the order. Different kinds of fusils were manufactured at the king's armories, and that kind had been sent, which the order would seem to indicate. Thus terminated Mr Lee's correspondence with the Court of Berlin, and this purchase of the fusils was the only act of effectual intercourse between the United States and the Prussian government during the revolution.

At length, on the fourth of December, arrived in Paris the news of the defeat of Burgoyne, and the taking of Philadelphia by General Howe. Hitherto the French government had carefully avoided connecting itself, either in substance or form, with the destiny of the United States. The Court, up to this moment, had pursued a cautious, hesitating policy, wavering in all its overt acts, and steady only in its desire to weaken the power of England by promoting a final separation of the Colonies. There were three strong reasons, which produced this apparent backwardness on the part of the French Cabinet to take up in earnest the cause of the United States. The first was a doubt, as to the actual state of opinion and feeling in this country, and a fear that there still existed a powerful interest in favor of England, which would ultimately show itself in an accommodation, and thus leave France in the ridiculous posture of having prematurely abetted a cause, involving her in a war with her rival, which a reasonable share of foresight and caution would have prevented. Again, it was necessary to act in concert with Spain, and this power had been cold and reserved from the beginning, utterly averse to recognising American independence, and in no way inclined

to take an active part in the dispute. And, lastly, France herself was not prepared for war, and more time was wanting to put her in a condition to meet the consequences of an avowed alliance with the revolted subjects of the king of Great Britain.

The force of these reasons is obvious; but the series of events in Europe, and the recent intelligence from America, had so much changed the aspect of affairs, and opened such prospects for the future, that the Cabinet of Versailles immediately resolved to run the hazard of uniting in a common interest with the United States, by acknowledging them as an independent power, and by guarantying this independence against the claims and force of England. The results of the last campaigns in America had afforded a proof of the spirit, determination, and physical resources of the people, and weakened, if not removed, the doubts of the French Court on this head. At this crisis they lost no time in signifying to the commissioners their readiness to commence negotiations on the principles of the treaty, which had been drafted by Congress, and which had lain quietly in the Count de Vergennes' bureau since it was first presented by the commissioners, nearly twelve months before. When the news of Burgoyne's defeat and of the battle of Germantown arrived at Passy, a messenger was immediately despatched with these glad tidings to Versailles. Two days afterwards M. Gerard, principal secretary to the minister of foreign affairs, called on the commissioners at Passy for the purpose, as he said, of congratulating them in the name of the ministers on the recent successes in America, and to acquaint them with the wish at Versailles, that they would renew their former propositions for an alliance, and add anything new, which they had to offer on the subject. The commissioners accordingly sent a memorial, merely referring to what they had done on their first arrival in Paris, and petitioning that the plan of a treaty, which they had then handed in, might be taken up and considered.

The time of a conference was fixed upon by the Count de Vergennes, and on the twelfth of the month they met this minister and M. Gerard secretly at a private house about half a mile from Versailles. After some general conversation and compliments on the state of affairs in America, Count de Vergennes remarked, 'that nothing had struck him so much as General Washington's attacking and giving battle to General

Howe's army; that to bring an army raised within a year to this, promised every thing.' The allusion here is to the battle of Germantown, which, although a discomfiture, contributed more perhaps to impress people in Europe with the true sense and tone of public opinion in America, than any other event of the revolution, and for the reason mentioned by the Count de Vergennes. The conference was opened by the minister's asking the commissioners what they had to propose; to which Dr Franklin replied, that the object in view was to enter into a treaty, and if there were any objections to the one that had been forwarded by Congress, they were now ready to consider them. Count de Vergennes then said, 'that it was the resolution of his Court to take no advantage of our situation, to desire no terms which we might afterwards repent of and endeavor to retract; but to found whatever they did so much upon the basis of mutual interest, as to make it last as long as human institutions endure; that entering into a treaty with us would be declaring our independence, and necessarily draw on a war; in this, therefore, Spain must be consulted, without whose concurrence nothing could be done.' He then proceeded to state some objections to parts of the proposed treaty, which were discussed, elucidated, and explained by the commissioners. In this way the principal articles were brought under review, and the ideas of the two parties were more clearly understood by each other. As they now had under notice only a treaty of amity and commerce, in which both parties aimed at exact reciprocity, professing to give a precise equivalent for what they received, and for the most part in similar kind, there could not be much difficulty in agreeing on the terms of this mutual exchange of benefits, particularly after the explicit, if not magnanimous declaration, with which Count de Vergennes opened the conference. In closing the interview the minister observed, that nothing could be concluded till they should hear from Spain, that a courier would be despatched to Madrid immediately, who would be back in about three weeks, when a speedy termination of the affair might be expected. This interview was the only one that the commissioners had with the minister on the subject of the treaty. It was subsequently managed on the part of France entirely by M. Gerard.

The interval between the departure and return of the courier was occupied by M. Gerard, in preparing a form of a

treaty to be offered by the French Cabinet. At length, on the eighth of January, another interview took place at Mr Deane's lodgings in Paris, where M. Gerard met the commissioners. The courier had returned; Spain, as usual, still clung to her policy of delay and reserve; she could not enter into a treaty; she was not prepared for war; her ships with treasure from South America had not come in; and her affairs with Portugal were not yet arranged. The French Court, having thus, as the intimacy of their relations required, proposed to the Spanish king to unite with them in this work, and he having declined, were resolved to complete it on their own part without delay, securing to Spain by a separate article the right of joining the compact when she should choose, on the same conditions as France. This being determined upon, they were now ready to take up the negotiation and complete the treaty. At this interview, therefore, M. Gerard came at once to the point, and asked the commissioners some direct questions as to the terms of a treaty, which would satisfy them of the attachment of France to the cause of America, and which would convince the people of the United States so firmly of this attachment, that they would not listen to any propositions of reconciliation from England; and as to the assistance, which it would be necessary for France to afford them. The discussion of these somewhat vague preliminaries was the only progress made at this conference.

On the eighteenth another meeting was held at Mr Deane's house, when M. Gerard produced a copy of the treaty of amity and commerce, as drawn up by himself; and also read to the commissioners another instrument, purporting to be an eventual treaty of alliance offensive and defensive; that is, a treaty which was to take effect in case the other should bring on a war between France and England. This treaty seems not to have been suggested nor anticipated, either by Congress or the commissioners. It contained a mutual pledge of the two parties to unite their forces, should a war with England be the consequence of the treaty of amity and commerce, a guarantee on the part of France to maintain the liberty, sovereignty, and independence of the United States, and a further pledge that neither party would make peace without the consent of the other. This treaty was to be kept secret, and to be without effect, till war should actually commence between France and England. From this it will be seen, that the

French professed still to hold out to the world, that a treaty of friendship and commerce was no just cause of war to Great Britain, but that they were not inclined to run the risk of such an event, without linking the fortunes of the United States more closely with it than could be done by a treaty of that description alone. And, indeed, this was not more politic than just; for upon the principles of reciprocity, which were the basis of all the negotiations, the United States were bound to share equally the consequences which should grow out of these arrangements, designed for the mutual advantage of the two parties. In truth, the features of the eventual treaty of alliance were clearly more favorable to the United States than to France, inasmuch as the power and influence of the latter were at that time of incalculable importance to the former. Considered prospectively, a view that an enlightened statesman will always take of so momentous a subject as a treaty between nations, the advantages doubtless approached more nearly the line of reciprocity. But we dismiss this discussion, as our object is rather to sketch a brief history, than to examine into principles or policy.

M. Gerard left a copy of both the treaties with the commissioners, for them to consider and deliberate upon at their leisure. Nine days afterwards, M. Gerard met them again, the commissioners having occupied the intervening space in examining the treaties, discussing various parts, and in preparing alterations in some of the articles. At this conference with the French secretary, a thorough revision was gone through with, some of the suggested alterations adopted and others not, and when the parties separated, the treaties were understood to be ready to be submitted to the king, and transcribed for their final signature. They had no more interviews till the the sixth of February, when they met and signed the two treaties, as they were afterwards published to the world.

The French minister made two or three essential changes in the draft sent out by Congress. In one article of that draft it was stipulated that no duty should be imposed, in the French West India islands, on molasses shipped to the United States. This was objected to as a privilege without an equivalent. Another article required that no higher duties should be laid on any articles in the French islands, which were shipped to the United States, than the lowest imposed on the same articles sent to France. This was objected to as being contrary to the

colonial policy and usages of France. Again, France was prohibited from invading or attempting to possess Labrador, New Britain, Nova Scotia, Acadia, Canada, and Florida, or any of the islands on the North American coast, as these were presumed to come within the jurisdiction of the United States. France could not perceive the ground of this claim, and the article was omitted.

As the article about molasses made a good deal of noise at the time, it claims a brief notice. Molasses had already become an item of extensive commerce between different parts of the United States and the French West India Islands. As it was one of the absurd features of the European colonial policy to lay heavy impost duties on articles shipped from the colonies, and particularly on such articles as were favored with what was deemed the high privilege of being shipped to a foreign port direct, without first entering some harbor in the mother country, and there undergoing a double tax in the shape of an impost duty, Congress thought this a good opportunity to get rid, as far as they could, of a restriction which might be in some degree detrimental to our West India commerce. Hence, they put into their treaty the article against the duty on molasses. When this came under discussion, Count de Vergennes observed, that it did not accord with the reciprocal principles of the treaty; that a privilege was demanded, but nothing offered in its stead. The French suggested, that, if it was thought necessary to retain this article, the equivalent might be an exemption from duty on all the tobacco shipped from the United States to any part of the French dominions. The commissioners were at first inclined to accede to this proposition, but, upon further deliberation, it was believed to be more than an equivalent, and Dr Franklin suggested that they should substitute for it an exemption from duty on all merchandise shipped directly from the United States to the molasses islands. This seemed to come nearer the mark; and though Mr Lee still thought it too much, it was finally agreed to by all the commissioners, accepted by the French negotiator, and inserted in the treaty as a distinct article designed to balance the other.

During the discussions, M. Gerard repeatedly said, that it was a matter of perfect indifference to the king whether these two articles stood or not; but if the one proposed by Congress were retained, the other must likewise be added. Dr Franklin and Mr Deane were both in favor of them, on the principle

that the molasses trade was important to the United States, and daily increasing, and that it was desirable to secure it against any shackles that might impede its success. It was supposed, that the French might one day conceive the project of introducing the extensive use of their brandy into the United States, by laying so heavy a duty on molasses that the price of rum would be enhanced beyond that of brandy. Again, Dr Franklin's notion was, that it was quite impossible for the United States ever to be so blind to their interest as to dream of laying a duty on exportation, and, therefore, the article prohibiting duties on merchandise shipped to the French islands was a nullity, in all its practical effects on the American commerce, whereas it was a part of the French policy to burden their colonial trade with export duties. Hence, by this article, without any sacrifice on our part, we should secure a probable benefit to ourselves from the other. 'To lay duties on a commodity exported,' he said, 'which our neighbors want, is a knavish attempt to get something for nothing. Commerce among nations, as well as between private persons, should be fair and equitable, by equivalent exchanges and mutual supplies.' Moreover, should countervailing duties be laid by both sides in the present case, the equivalents would be as nearly equal as possible; since hardly anything was imported from the islands in question but molasses, and of course the whole amount of articles exported to them would be equal in value, or nearly so, to the molasses brought away. But Congress, and the people generally, saw the thing in another light, and thought it was a restriction upon the freedom of trade, or rather upon the liberty of the government to exercise a control over every branch of commerce according to the exigency of circumstances, which ought not to be admitted into a formal instrument binding the will of the nation. When the treaty was ratified, these articles were almost unanimously rejected by Congress; and as the French government had no wish to have them retained, they were expunged from the treaty by mutual consent.*

* It seems that some of the American merchants claimed an exemption from the duties on molasses in the French islands, on the strength of those clauses of the treaty, before it was known that they were not ratified. On the 15th of September, 1780, the Chevalier de la Luzerne, French Minister in Philadelphia, wrote to Congress as follows;

It was not long after the signing of the treaty before Mr Deane heard of his recall, and he returned to the United States with M. Gerard, the first French minister to this country, in Count d'Estaing's fleet, which entered the Delaware river in July, after a very long passage from Toulon of nearly three months. Mr John Adams was Mr Deane's successor, and he joined his colleagues in Paris. The principal business of the commissioners now was to send out such military supplies as they could procure, and to manage the marine affairs in the different French ports entered by American vessels, the fitting out of privateers, sales of prizes, adjudication of contested cases, and, in short, all the duties usually devolving on consuls and mercantile agents. This was less difficult than before the treaty, for there was no longer any occasion for concealment or disguise. Lord Stormont had quitted Paris, his spies had disappeared, and war between England and France actually existed in all the essentials but a formal declaration. The French government granted a loan of three millions of livres to Congress immediately after the treaty, which afforded an important temporary relief, and enabled the commissioners to meet the drafts, which came upon them rather heavily from home.

In May, 1777, Mr William Lee and Mr Izard were appointed by Congress commissioners, the former to the courts of Vienna and Berlin, and the latter to that of the Grand Duke of Tuscany. They held these appointments about two years, Mr Izard residing the whole of that time in Paris, not being encouraged to seek the Grand Duke by any prospect of being received in his public capacity. Mr William Lee resided partly in Paris and partly at Frankfort, in Germany, giving notice to the court of Berlin that he was ready to appear there, when

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'I have received the declaration hereto annexed, with orders to communicate it to Congress. Some American merchants, not knowing that the eleventh and twelfth articles therein mentioned have been annulled, have demanded an exemption from the duties, which are paid in the French West India islands on the exportation of molasses. An authentic publication of the treaty will remove all doubts which may remain, touching the payment of this duty, which the subjects of his Majesty themselves are liable to pay.'

This proves what has sometimes been denied, that there was a duty existing on molasses at the time the treaty was made. Indeed, one of Mr Lee's arguments against the additional article was, 'that there appeared no necessity for restraining the impost upon an article, *which was never likely to have any duty laid on it.*' Vol. I. p. 383.

his Majesty should signify his pleasure to receive an American commissioner. As this time never came, Mr Lee was not called on to exercise the direct functions of his mission, till it was revoked by Congress. These gentlemen were both in Paris when the treaties were made, and, not well satisfied that they should not be admitted to the consultations, particularly on the molasses article, to which Mr Izard showed a remarkable hostility, Mr Arthur Lee proposed to give them a voice in the matter; to which Franklin and Deane objected, both because they had no authority in regard to the treaty, and because the pledge of secrecy, granted to M. Gerard on their parole of honor, took away from the commissioners the power of communicating their proceedings to any other person.

Dr Franklin was appointed minister plenipotentiary from the United States to the court of Versailles, on the 14th of September, 1778, and the commission was dissolved. Mr Adams returned home. Mr Arthur Lee still held the appointment of commissioner to the court of Madrid, although he did not go a second time to Spain. He continued to reside in Paris, and to hold occasional correspondence with Count d'Aranda, the Spanish Ambassador; but as Spain manifested no disposition to enter into any direct intercourse with the United States, or to receive a minister, it was not in the power of the commissioner to render much service to the public in this station. Mr. Lee's appointment ceased, when Mr Jay was chosen minister plenipotentiary to Spain in September, 1779, and he returned to America in the summer of the next year. He was soon afterwards chosen a delegate in Congress from Virginia.

We have thus traced a brief outline of the prominent incidents in the diplomatic history of the United States, during the first two or three years of the war. It has been seen, that Mr Arthur Lee took a distingnished part in these transactions, and, after what has been said, it hardly needs be added, that he was active, zealous, faithful, and persevering in the discharge of his duties, and in promoting on all occasions the noble cause of his country. He was a sincere and ardent patriot, true to his principles, fearless in avowing them, and indefatigable in his efforts to diffuse and impress their influence. Endowed with talents much above the common order, his attainments were various and extensive, not more in the sciences, to which his inclination led him, than in classical and general literature; and he possessed a remarkable facility of bringing

his mind to bear with energy and alertness on a definite subject. We could wish that the catalogue of his characteristic traits might end here, but there are others equally marked, which are too conspicuous to escape unobserved, and were too extraordinary in their tendencies and effects to be passed over without notice or animadversion. But before we proceed further, we shall stop to point out a few errors of some importance into which our author has been drawn in his Memoir of Arthur Lee.

In speaking of Mr Lee's early services, as agent for the Committee of Secret Crrespondence, he writes as follows;

'In the *winter* of 1776, Mr Lee repaired to Paris by the direction of the secret committee of Congress (to which committee that body had intrusted all its business with foreign agents and foreign courts), as their secret agent, to improve the favorable disposition of France towards the colonies. In this capacity he was received, and was kindly and respectfully treated by Count Vergennes. The reader can well imagine with what earnestness and ability he availed himself of the opportunity now afforded him of placing the situation, character, and concerns of his country in favorable and interesting views before the mind of Vergennes. Mr Lee did not confine his exertions to the French ministry alone, but labored to produce the same sentiments in the minds of distinguished and influential men in France who held no official stations, and to awaken a feeling of good will towards America in the French nation. To enable him to do this, he obtained the acquaintance of the class of men just alluded to, and wrote short and popular pieces in the journals of the day calculated to inform the public mind of the amount of the population of the colonies, the products of their country, and the commercial advantages they held out to France. There were at this time in France many men who had great influence on public opinion, though they held no offices under the government, and took little part in what might be termed practical politics. They obtained this influence from the fame of their learning and from their political writings. To them Mr Lee found an easy access; and his literary and scientific acquirements proved of essential advantage (as well as a source of enjoyment in his intercourse with them) in gaining their attention to the affairs of America. Among these persons the celebrated Turgot held a conspicuous place. Mr Lee cultivated his acquaintance, and presented to his enthusiastic mind the character of his countrymen as a brave people, warmly and obstinately attached to freedom; and, to his judgment, the policy of France in assisting them in wresting from England their political independence. Impressed by the

forcible representation of Mr Lee, the Count de Vergennes, in the spring of '76, presented to the King a memorial on American affairs, accompanied with reflections of Turgot on the subject of it. The policy advised by this memorial, and enforced by the reflections of M. Turgot, was, "to facilitate to the colonists the means of procuring in the way of commerce the articles and even the money which they needed; but without departing from neutrality, and without giving them direct succors." This aid, even thus furnished, was as much as Mr Lee could anticipate at this time.

'To carry into effect this plan of assisting the Americans, Vergennes directed the same secret agent whom he had sent to London in December, '75, to wait on Mr Lee, and inform him of the views and determination of the French court respecting America. Mr Lee transmitted this highly important intelligence to the secret committee, through the same gentleman to whom he had communicated the message of Vergennes delivered to him in London in the preceding fall.' Vol. 1. pp. 55, 56.

'From the spring of the year 1776 until the fall of it, Mr Lee remained in Paris as a secret agent of Congress. He then returned to England, and resided in London until the month of December, when, having received an official notification of his appointment as a commissioner to France, he repaired again to Paris. His conduct in the capacity of a secret agent in France had given great satisfaction to that body. He did not confine himself within the exact line of his instructions as agent to the French court. He sought and improved the acquaintance of the ambassadors of the different powers then in Paris; and by turning their attention to the struggle of the British colonies in North America, and by giving them correct information concerning their affairs, he inspired them with respect and interest for his country. He particularly sought to engage the consideration of the Spanish ambassador, and through him, of his court. He had so far succeeded in gaining the serious attention of the Spanish minister before the arrival of the commissioners from America, and before the appointment of a representative to the court of Spain, that he had actually proposed to that court to join France in secretly aiding the United States with money, arms, and other warlike stores.' pp. 58, 59.

When it is known, that Mr Lee did not go at all to Paris by order of the committee, or as a secret agent, the whole of these paragraphs will of course be ranked among the gratuitous links in the chain of history. Early in August, 1776, Mr Lee, then in London, wrote to Mr Deane in Paris, that he intended shortly to visit that city upon business, which he did not define. Accordingly we find Mr Deane writing to the Count de Ver-

gennes on the 22d of August, as follows; 'I was this morning informed of the arrival of Mr Arthur Lee, and that he would be in Paris to-morrow. This was surprising to me, as I knew of no particular affair that might bring him here.' Mr Lee stayed but a very short time, for in four weeks afterwards he was again in London, where he remained till he received his appointment as one of the commissioners, about the middle of December. It does not appear that he had any intercourse with the ministers of government, or any public functionaries in Paris. He met Beaumarchais, but he did nothing in regard to the aids which were to be remitted to America, as proposed by the former at their interviews in London, not, as our author says, 'in the preceding fall,' but in the preceding April. Mr Lee wrote to Congress, in his first letter after receiving his commission, that 'this business was settled with Mr Deane, whom M. de Beaumarchais found here upon his return from London, and with whom, therefore, all the arrangements were afterwards made.' Hence, Mr Lee's residence in Paris, so far from being continued from the winter to the succeeding autumn, as intimated in the above extracts, was no more than a transient visit of a few days in the month of August, during which he neither exercised nor assumed a public agency of any sort. If he made any other visit to Paris within the time here specified, of which no evidence appears, it must have been very short and unimportant in its consequences.

The above descriptions, therefore, of Mr Lee's earnestness and ability in representing the concerns of his country to the French government, his attempts to enlighten the men of influence in France, and his remarkable success with the Spanish ambassador, are to be considered rather in the light of ornaments to the drapery of history, than as making a substantial part of the warp and woof of the material itself. It would seem, from the above narrative, that Mr Lee's 'forcible representation' was the means of drawing from the Count de Vergennes a memorial to the King, which has become known through the reply of Turgot. And what is still more strange, Vergennes and Turgot are here made to harmonize in their views of the subject, whereas Turgot was strenuously opposed to the separation of the colonies from England, a policy supported by Vergennes with all his address and strength.* Turgot was willing that

* At the beginning of his memoir, Turgot says, 'It appears to me a most desirable event for the interest of the two crowns, that England

commercial facilities should be afforded to the Americans, by which they might supply themselves with the means of defence, on the ground merely that this would enable them to keep England so occupied for the present, that she could not think of a war with France, and thereby allow this latter power time to prepare for the war, which all parties saw approaching. Indeed, if Mr Lee had been in Paris, as is supposed, his agency could have produced little effect in this business, which had been elucidated by numerous papers, fully discussed in the cabinet, and finally settled by a majority, some months before the date of this memorial of Vergennes, which, by the way, was never published, and of which nothing is known except what is learned in the fragments of Turgot's paper, that have been brought to light by M. de Ségur.

In speaking of the appointment of the commissioners to France, the author observes, 'Mr Lee was selected, with Silas Deane, as one of the joint commission to the court of France, with whom Dr Franklin was *afterwards* joined.' We presume every reader would understand by this, that Mr Lee was the first chosen, and that Franklin was added to the commission at a later date. But the truth is, that when the ballots were taken, Franklin, Deane, and Jefferson were chosen, and in the order of the names as here written. Jefferson declined the appointment, and *four weeks afterwards* Congress proceeded to fill up the vacancy, and chose Arthur Lee.

Again, the author writes in reference to Mr Lee's visit to Spain;

'Mr Lee was at length permitted to proceed, as it has been mentioned, to Madrid. He there exerted all the efforts which skill and ingenuity could suggest to induce the Spanish court to engage in our cause. The views of its policy, however, led that court to pursue a course of great caution and secrecy. The commissioner was assured of the good will of the King and nation, and

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should surmount the resistance of her colonies, and force them to submit to her yoke, because, if the colonies can be subjugated only by the ruin of all their resources, England would lose the advantages which she has hitherto derived from them, whether in peace by the increase of her commerce, or in war by the use she is enabled to make of their forces. If, on the contrary, the vanquished colonies should preserve their riches and their population, they will likewise preserve their courage and their desire of independence, and compel England to employ a part of her force in preventing them from rising anew.' *Politique des Cabinets de l'Europe*, Vol. III. p. 160.

partial and ambiguous promises were made of joining France in giving the United States aids of money and arms. He was permitted to make contracts for warlike stores with Spanish merchants.' Vol. I. pp. 84, 85.

'The residence of Mr Lee at Madrid, though it resulted in no open or definite assistance, was not, however, unattended with essential service to the United States. He gave the ministry and public men of Spain accurate information of the character, condition, and prospects of the American people, which produced respect and cordiality for them. He brought back to Paris evidences of this result, and procured such instructions from the court of Spain to its minister at Paris, as kept up a close and intimate intercourse between him and Mr Lee, and finally enabled him to succeed in obtaining a large loan from the Spanish government.' p. 85.

Now as Mr Lee *did not go to Madrid at all*, nor spend any time in the Spanish dominions, except about twenty days in a secret manner at Burgos and Vittoria, as recounted above, these paragraphs must also be ranked among the apocryphal elements of history. Nor did Mr Lee's visit result in 'no definite assistance' and 'partial and ambiguous promises' from Spain. On the contrary, he obtained a positive gift of three hundred and seventy-five thousand livres, and supplies of soldiers' clothing and other articles sent to the United States. In regard to 'a large loan from the Spanish government,' no such thing was obtained by Mr Lee or any one else.

'The kindly sentiments of the people and government [of Holland] towards the United States had induced Congress to appoint an agent at the Hague. Mr William Lee, a brother of Arthur Lee, had for some time past acted in the capacity of commercial agent of the United States at that place.' Vol. I. p. 137.

'In the spring of 1777, Mr William Lee, who was then acting as agent of Congress in Holland, was appointed commissioner to the court of Berlin. As our commercial and financial concerns with Holland were of great importance and magnitude, Mr Lee consulted the commissioners at Paris on the propriety of his remaining in Holland, and proposed that one of them should repair to Berlin in his stead. Upon consideration it was determined that the interests of the United States required Mr William Lee to remain in Holland, while it was equally apparent that they required some immediate correspondence with Prussia. Without waiting to consult Congress (for at this time many months elapsed before they could receive answers to their communications from America), and relying on its acquiescence, it was resolved that Arthur Lee

should repair to Berlin in the room of his brother, and carry with him the commission and instructions intended for him.' Vol. 1. pp. 85, 86.

'He succeeded in obtaining from Frederic an assurance that he would afford no facilities to Great Britain in procuring additional German auxiliaries, and that he would prohibit the passage through any part of his dominions of any troops, which that court should hereafter engage in Germany. He obtained also permission for the citizens of the United States to carry on a direct commerce with the subjects of Prussia; and for himself to purchase, for the use of the United States, arms at the armories from which the King supplied his armies.' Vol. 1. p. 98.

'The principal exertions and labors of Mr Lee during the years 1778 and 1779 were required by his office, and were devoted to his duties of sole commissioner to the court of Spain, and of the acting commissioner to that of Prussia. During this period he aided his brother, William Lee, in his negotiations with Holland.' 'After having obtained loans and warlike supplies from the courts of Spain and Holland, and permission to purchase arms from the Prussian armories, he encountered many difficulties, and suffered vast trouble in the selections of the articles, in the necessary arrangements with the merchants, and in the making of arrangements with the subordinate agents and ministers of the several governments, as to the mode of insuring and shipping them.' Vol. 1. p. 150.

'He obtained in times of urgent need loans from Spain and Holland, and military supplies from Prussia, on advantageous terms.' p. 151.

We have here a string of errors from beginning to end. Mr William Lee's commission was dated July 1st, and it did not reach Paris till the last of September, *several weeks after the return of Arthur Lee from Berlin.* And yet we are told, that 'he carried with him the commission and instructions intended for his brother.' Moreover, William Lee *never acted as an agent for Congress in Holland,* but he was a merchant and alderman in London till June, 1777, when he went over to France to superintend, in connexion with Mr Morris, the mercantile affairs of the United States at Nantes. Nor did he arrive in Paris from London till nearly a month after his brother's departure for Berlin. It has already been shown, that Mr Arthur Lee did not succeed in obtaining any 'assurance' whatever from Frederic or his minister, except an empty expression of good will, and a permission rather than a request, that Mr Lee

would inform the said minister from time to time how things advanced in America. As to the liberty of purchasing arms, and the 'military supplies from Prussia,' the account of the contract for the eight hundred defective fusils embraces all that is to be said on the subject. This purchase, the only one that was made, turned out to be far from 'advantageous.' We are told of a loan from Holland. No loan from Holland was obtained by any person while Mr Lee was in Europe, nor till after Mr Adams's appointment to that country. What is meant by Mr Lee's 'duties of acting commissioner to the court of Prussia,' we do not understand, since his brother held this commission till June, 1779, when it was withdrawn by Congress, and not renewed.

'The provisions of the 11th and 12th articles of the treaty of commerce with France present the subject of most interest in the history of our early negotiations with that country. The propositions of the French court, which constituted these articles, were at one time embodied in the treaty. France at this time possessed the principal islands in the West Indies, which yielded the greatest supply of molasses. It was proposed to our commissioners, that the United States should exempt from any tax or impost all merchandise exported from the United States to the French islands yielding molasses, by French subjects, while France should exempt from all duty the molasses exported from her islands to the United States by their citizens.' Vol. i. p. 124.

'As the French ministry seemed desirous to retain these articles, and as Mr Lee's colleagues assented to them, he waived for a time his objections, and they were comprehended in the treaty.' pp. 125, 126.

From this statement it would seem as if these articles originated with the French negotiators. They are called 'the propositions of the French court,' but we have seen heretofore that the first article was sent out in the treaty prepared by Congress, and when it was *objected to* by the French minister, *our commissioners proposed* the other as an equivalent; so that they both originated on the American side of the question. Indeed, the French never liked the articles; they only insisted, that if the first were retained, the other must go with it. M. Gerard told Mr Lee, 'that there was no sort of desire in the court relative to the omission or continuance of those articles,' and 'that they were *assented to* from an opinion of its being a very desirable thing in America.' With these sentiments on

the part of the French ministry, it required but a moderate skill in diplomacy to draw from M. Gerard an expression of his belief, that they would be readily given up in France, if not approved by Congress.

Such are some of the mistakes, which have occurred to us in the perusal of the Memoir, but we should be sorry to have the whole work judged by these specimens of its defects. Some of these errors betray haste, and a want of minute research, but no one who reads the book can suspect for a moment, that the author has in any instance designed to mislead, or been influenced by any other motives, than a desire of doing justice to the character of Mr Lee, by what he considered a fair and full exposition of the important events of his life. He seems not to have perused with sufficient attention Mr Lee's official correspondence. We think his public services rated much too high by his biographer. After conceding in the fullest and most unequivocal terms Mr Lee's activity, zeal, and fidelity, his genuine love of country, and conscientious discharge of duty, we really do not discover anything in the results of his labors, which should give him extraordinary claims to the admiration or gratitude of his countrymen. He was a patriot, and deserves a patriot's praise; like his associates in the times of trial and peril, he sustained himself manfully and truly; but it was his misfortune to defeat in one way the good effects of the purposes, which he strove to execute in another. The same constitution of mind, which prompted his ardor and energy, too often hurried him into the extremes of irritability and passion. Sanguine in temperament, credulous, hasty in action, he yielded with a weakness altogether unpardonable to the corroding influences of suspicion, jealousy, and distrust. This habitude of mind, which seemed an inherent quality, drew him into endless disputes and difficulties. He describes himself very truly when he says, 'Unhappily my fate has thrown me into public life, and the impatience of my nature makes me embark in it with an impetuosity and imprudence, which increase the evils to which it is necessarily subject.' Aversions, discords, enmities grew up and thickened around him as he advanced in his public career, which, at the same time they annoyed his own peace, fed the flame of party already but too rife in our national councils, and helped to open breaches and perpetuate divisions, which operated with

a pernicious tendency to the end of the war. These effects of the infirmities of Mr Lee's temper on the public interests and transactions of the time, make it necessary to touch upon incidents, which might otherwise perhaps be passed over, without essential detriment to the claims of justice, the cause of impartial history, or the honor of human nature.

No one who examines the subject can doubt, that Mr Lee's quarrels with Deane, his hostility to Franklin, and his disputes with everybody, a select few only excepted, were the primary causes of the warm altercations and endless perplexities, which distracted the deliberations of Congress on foreign affairs during two or three years of the most anxious period of the revolution, till Congress by a large majority passed a resolve, which certainly does not adorn the brightest page of their journals, 'that suspicions and animosities have arisen, among the late and present commissioners, highly prejudicial to the honor and interest of the United States.' It would be hard to put all this to Mr Lee's account, nor do we intend it; but we do say, that he was the primary and most efficient actor in a train of events, which produced these consequences.

The warfare commenced at an early date between Lee and Deane, and the first spark of the kindling flame was a spark of jealousy. Our readers will remember the interview between Mr Lee and Beaumarchais in London, and the plan concerted between them for sending two hundred thousand pounds sterling to the aid of the colonies. When Beaumarchais left London, Mr Lee seemed to consider this plan as matured, and that it would be executed in conformity with their arrangements. He gave notice accordingly to the Committee of Secret Correspondence, and letters passed between him and Beaumarchais on the subject. While the affair was in this favorable train, as he supposed, Deane arrived in Paris; and Beaumarchais, abandoning his first project, made new arrangements with this agent, and prepared to send the supplies through channels quite different from those heretofore suggested. By this scheme, also, Mr Lee's agency was entirely dispensed with. This turn of the business was not relished by Lee, since it deprived him of the merit and honor of being the medium through which supplies so bountiful and seasonable were transmitted to his country, and of the estimation which such an event would procure for him in the eyes of

Congress. He hastened over to Paris, and from the extract of a letter to Count de Vergennes, which we have already quoted, we learn the humor in which Deane was disposed to receive him. As Deane had been led into the engagements with Beaumarchais at the solicitation of this gentleman, without knowing what had been done in London, he looked upon Lee's interference as officious, and was evidently not in a mood to receive or treat him with much cordiality. At all events, their interviews in Paris produced anything but friendship, and Mr Lee returned to London without effecting any change in the scheme, which had been agreed upon between Beaumarchais and Deane. Thus were sown the first seeds of discord, which afterwards attained so rank a growth among the agents of the United States abroad and their friends at home.

About three months afterwards Mr Lee went back to Paris, and joined Franklin and Deane as one of the three commissioners from Congress. Nothing had occurred in the interim to subdue or quell the feud, that had previously begun; and it was now increased by the circumstances of the moment. Just at this time Beaumarchais was in great embarrassment, on account of the obstacles thrown in his way by the government to prevent his shipping the articles, which he had got in readiness, and for the transportation of which vessels had been chartered, and were retained at a large expense. Mr Lee showed no sympathy with Deane on this occasion, and perhaps it was natural enough, as things had turned out, that he should be quite willing to let the responsibility and vexation of the enterprise rest on his colleague, who was to share all the honor of its success. Nor does it appear, that Deane had any unwillingness to endure the one for the sake of the other. Hence each had his consolation in his own way, but drawn from sources so widely asunder, as to afford but a discouraging prospect of a speedy union of sentiment or feeling between these two rival commissioners.

At length Mr Lee went to Spain, and Franklin and Deane remained in charge of affairs at Paris. As the mercantile transactions had been in the hands of Deane from the beginning, and as he was the only commissioner acquainted with them in detail, he was still considered as the fittest of the three to have a chief control over this department. Franklin made

no pretension to a knowledge of mercantile matters, and Mr Lee's habits had been as little in this line as his own, whereas Deane was a practical merchant. By reason of Mr Lee's visits to Spain and Prussia he was absent from Paris a large portion of the time, during the first seven months after the meeting of the commissioners. It is impossible, therefore, that he should be well versed in their proceedings, or know the reasons and motives by which his colleagues were guided in any particular act or determination; and more especially as he and Mr Deane had been on such terms from the outset, as to forbid any explanatory intercommunications of this sort between them.

Another ingredient in the cup of calamity Mr Lee found, or imagined he found, on his return from Prussia. Mr Deane's visits to Versailles were frequent, which indicated that he was well received by the ministers; his residence in Paris had procured him many acquaintances among persons of eminence, which brought him into notice, and gave him consequence; his mercantile transactions had connected him with persons of business, and opened a wide field of correspondence, which also contributed to his importance. Mr Lee was comparatively a stranger, and had none of these advantages; and what probably was keenly felt by a temper so sensitive as his, Deane made it no point of delicacy to place himself on as high a pedestal as his good fortune enabled him to mount, leaving his less favored colleague to stand in such a niche as he could find at hand. No courtesy or good will was lost on either side. Deane was by nature formal, cold, slow, and fond of parade; Lee was ardent, rapid, eager, and regardless of forms where he could come quickly to the reality and the substance. It is obvious, that there could be no commingling of such principles as these, and the more closely they were brought in contact, the greater would be the strife of the discordant elements.

It was now, that the characteristic foible of Mr Lee began to show itself. He conceived the notion, that all the friends of Deane must be his enemies. Then came over his mind strange visions of plots, and intrigues, and combinations formed to mar his peace, defame his character, and injure his reputation. He believed it was a part of the business of this knot of adversaries to write paragraphs to his discredit, and pro-

cure their insertion in the European gazettes, and to take care that they were repeated in the American papers. He conceived them to be busy, also, in writing letters of the same purport, and thus to be infusing a poison, not only into the public mind, but into the mind of individuals whose good opinion was important to his fame and his success. At the head of this formidable league, in his imagination, was placed Mr Deane, by whose arts and machinations it had been brought into being while he was absent in Prussia.

In this state of mind Mr Lee began to write, in an extraordinary manner, to his friends in America about Mr Deane. The following extracts are from a letter to his brother, Richard Henry Lee, then a member of Congress, and dated nine days after the signature of the treaty. 'My absence, and the care with which things have been concealed from me, have disqualified me to judge of the truth of the suspicions, *which are general, of Deane's having had douceurs from the public contractors and others*, in order to conciliate his patronage; and that he is in a sort of partnership with Holker, Sabatier, Monthieu, and others, *in which the public money and influence are made subservient to private profit*.' Again, 'Whenever he is removed from the command of money, the truth will come out fast enough, *and the persons who, under his auspices, have been defrauding the public*, may be brought to account. Upon the whole, these are dangerous men, and capable of any wickedness to avenge themselves on those, who are suspected of counteracting their purposes.' 'The calling for an account of the money we have expended, the taking of the expenditure out of our hands for the future, *or the removal of him who has misapplied it*, would lead to discoveries and proofs before time has enabled him to prevent them.' Now we ask, if there could be anything more outrageous, or more at variance with the moral proprieties of conduct, than such an attack as this upon the character of a colleague in office, concerning whose affairs the accuser did not pretend to know anything with certainty, but against whom he utters insinuations so positive and circumstantial, as to give the worst impression, and thus secretly to fix a stigma on his reputation? If Mr Lee believed these charges to be correct, it was his duty to search for the proofs, and above all was it his duty to keep his suspicions within his own bosom, till he could send them out with

facts, that should make them as clear as the light of day. And more than this, every principle of honor and justice would require him at the same time to exhibit the charges to the accused person himself, and give him an opportunity of explanation and defence. A charge without proof is a calumny; and there certainly cannot be a more unworthy act, to say nothing of its criminality, than a secret and insidious attempt to wound the reputation of another, with whom the accuser is in habits of daily intercourse, and associated in the discharge of duties implying mutual confidence and responsibility. It was this practice, which we consider the great fault of Mr Lee's character, and to this we alluded, when we said that he was a primary cause of the divisions and contests in Congress. He was in the habit of writing to the members against several persons, and in a similar strain to that of these extracts, and frequently with a much greater latitude of censure. His letters were of course shown to the friends of his correspondents, and their tendency could not but be mischievous in the highest degree. Those, who were not convinced, would have their confidence shaken by such bold insinuations, and think it impossible that there should not be something more in them, than the workings of a fervent imagination, or the illusions of a jealous spirit. In the above extracts we see how little caution was used in the mention of individuals, for we there have the names of three eminent French merchants, linked with that of Mr Deane in a league of fraud upon the public funds.

At length Deane, being recalled, returned to the United States, made various communications to Congress, and was admitted personally at the bar of the House, where he gave a detailed narrative of his transactions in Europe. Meantime Mr Lee continued to repeat the same vague charges, and among other things wrote to Congress, that, after examining Mr Deane's accounts, he had ascertained 'that millions had been expended, and almost everything remained to be paid for,' but he preferred no specific accusation, nor forwarded any proofs. Mr Deane and his friends were highly indignant at this mode of attack, and Congress gave him copies of Lee's letters. To these he replied, and of course Mr Lee was furnished with copies of the replies; and then came his rejoinders. During these epistolary skirmishes, Congress delayed to decide on Deane's affairs, although he pressed them with much earnestness either to pass a vote of approbation or censure on his conduct, and bring the matter as soon as possible to a close.

Wearied by this delay, and apparently irritated by the part that had been taken by Mr Lee to injure his character, he published his famous Address to the People, in the Pennsylvania Gazette of the fifth of December, 1778. This paper was in the strongest and worst spirit of retaliation upon Arthur Lee and his brothers, whom he calls 'his personal and lately his avowed enemies,' and concerning whom he speaks in a tone of subdued but pointed obloquy, as insidious as it is recriminatory. He reiterates and endeavors to substantiate a report, that Arthur Lee had been suspected of an undue attachment to England, and of an unwarrantable correspondence with the enemies of his country. Considering the early, the unceasing, the inflexible patriotism of Arthur Lee, of which the proofs were almost as numerous as his acts or his words, it would seem hardly possible that Deane himself could have credited such a slander, notwithstanding this bold step of giving currency to its circulation by the sanction of his name. It is not surprising that from this date the warfare became open, violent, and unrelenting, and that the friends of the parties in Congress should enter into the contest with an asperity, little consistent with the dignity, moderation, and impartiality that ought to prevail in all deliberative assemblies. Deane remained nearly a year longer in Philadelphia, soliciting a formal and final resolve of Congress respecting his public conduct. This however was never made, but a vote was passed granting him ten thousand five hundred dollars, in consideration of his time and expenses in his attendance on Congress. A draft on the treasury for this amount was sent to him; but he returned it to the President of Congress, with a respectful letter, stating that it was inadequate to his actual expenses and trouble in the service of Congress, that he preferred to return it, trusting that when his accounts were settled he should make it appear, that his services in France had been of much greater importance than Congress seemed then aware, and that he would refer to that time any further discussion of the proper amount of his recompense. Nothing was ever paid to him, however, nor do we know whether his heirs have ever claimed of Congress this sum of ten thousand five hundred dollars, which would seem to have been their due after his death.

We have never seen any proof of the charge, which Mr Lee takes great pains to fix on Mr Deane, that he employed the public money for the advancement of his private interest.

On the contrary, all probability and well established facts are against it. He declared solemnly to Congress, that he had not even invested any of his own funds in any shipments, except to a small amount in two instances. One of these investments was captured by the enemy, and the other was for the use of his family, and passed through the hands of Robert Morris, at that time a member of the Committee of Secret Correspondence, by whom Deane was sent abroad. Moreover, his acceptance of this appointment was not understood at the time to deprive him of the privilege of acting in the capacity of a private merchant, and although prudence might dictate such a course, yet neither duty nor his engagements with the Committee imposed on him any such obligation. Mr Lee, in writing to Theoderic Bland, says, 'Mr Deane is generally understood to have made *sixty thousand pounds sterling* while he was employed here.' This is another of those vague and unwarrantable charges, without proof or specification, lurking under the convenient and treacherous gloss,—'*is generally understood.*' What is the truth? Deane went to France with money of his own in his pocket; how much, we cannot say, but he had something. He stayed there a year and eight months, and then returned to Philadelphia, where he remained eighteen months longer attending on Congress. During this latter period, he certainly could have disposed of money for no other purpose than his expenses, for he was engaged in no business whatever. It follows, that this great sum of sixty thousand pounds, or more than two hundred and fifty thousand dollars, must have been still in Europe. Neither he nor his family were known to have it in this country. It must have been somewhere, if it ever existed; but there is absolute proof, that he returned to Paris in beggary. We have ourselves seen positive written testimony, that he subsisted there for several months on the bounty of strangers. Is it credible, that he had accumulated money, which he now hoarded, while drawing a bare support from a source, which deserved no other name than charity? He affirmed to the last, that he had just demands on Congress to the amount of more than thirty-five thousand dollars for his time and disbursements of various kinds in France, besides another large amount, which, according to the usages in mercantile transactions of this sort, he said was his due as a commission on the purchases he had made. But as his accounts went unsettled, owing apparently as much to his own fault and

negligence, as to any other cause, his claims were never recognised nor allowed.

It is not easy at the present day to form a correct estimate of the conduct and services of Silas Deane, during his public agency in France. His lamentable, or more properly disgraceful desertion of his country's cause at a later period, and the pains he took to depreciate her interests, fix on him such marks of treacherous aims, as to obscure and almost conceal the virtue of his previous acts, whatever merit they may have in reality possessed. Yet it must be conceded in his defence, that he was treated with unmeasured abuse, neglected, if not essentially wronged by Congress, and reproached with possessing vast treasures amassed by the artifices of fraud, while he was actually suffering under the severe inflictions of poverty. All this affords no apology for his deplorable, not to say criminal defection, but it is a reason why justice should be rendered to him as far as it is his due. Mr Adams, who was his successor in France, thus writes, soon after his arrival, to a friend in Congress. 'I have heard a great deal in this country concerning Mr Deane's conduct; great panegyrics and hard censures. But I believe he has neither the extravagant merit, that some persons ascribe to him, nor the gross faults to answer for, which some others impute or suspect. I believe he was a diligent servant of the public, and rendered it essential service.' This seems to us as fair a judgment as can be formed, for there is good evidence, that it was written with a competent knowledge of the subject, and without predilection or partiality.

We intended here to go at some length into the causes, progress, and effects of Mr Lee's hostility to his other colleague, Dr Franklin, but our remarks have already been drawn out to such an extent, that we can claim but little space for this topic. We must say, however, that we are not at all satisfied with the account which our author gives of the matter. He very good naturedly ascribes the whole to the easy temper, confiding disposition, indolence, age, and, we may almost say, imbecility of Franklin. According to him, Mr Lee took it specially upon himself to detect defaulters, to expose the faithlessness of public contractors, and bring their conduct openly and fearlessly to light. In this ungracious task, to which he was impelled by his deep sense of duty, he made discoveries in the transactions of some of Franklin's friends, which the philosopher's impaired vision was not acute enough to perceive, and

which he would fain look upon as 'the suspicions of a petulent and unamiable temper.' Hence he began to lose his confidence in Mr Lee's judgment, and to lend to him a doubting ear, and incline himself to those, 'whose object and policy induced them to wish to avoid the control of his energetic colleague.' He did not like to be worried with this activity and vigilance, but loved to see things go on calmly, and to seek contentment in tranquillity. 'His kind and unsuspecting disposition was imposed upon and deceived. He became cold and distant in his manners towards Mr Lee, and gave a degree of countenance to defaulting agents, which proved injurious to the public interests.' In other words, Dr Franklin, good easy man, was a dupe to the roguery and tricks of a set of sharpers, that hovered around him under the name of public contractors, and allowed himself to be cajoled and deceived, not only out of his common sense, but out of his common honesty and fidelity to his trust; while his astute, shrewd, keen-sighted, fearless, and ever active colleague penetrated all the mysteries of iniquity practised by these rapacious contractors, and drew them into the open day, much to their shame and discomfiture. Hence the enmity that sprang up between these two commissioners.

Now we are constrained to say, that we have no points of accordance with the author in this view of the question. In the first place, we have not the least faith in Mr Lee's superior ability or success in discovering frauds, over those of his colleague. Dr Franklin's age and infirmities did not disable him from conducting triumphantly for almost nine years, a series of perplexing and complicated public duties, and some of the most important negotiations, which have ever been accomplished by any minister. Whoever will read his correspondence, while in France, will not accuse him of want of vigilance or activity in all things where his duty required them, nor of a disposition to let fraudulent contractors escape with impunity. The truth of the business is simply this. As Mr Lee was absent a large portion of the time when the contracts were made, he was not accessory to them, and in most cases not acquainted with the persons. These contracts were also chiefly made by Mr Deane, in whose hands the mercantile affairs were left. From the specimens we have already given of the temperament of Mr Lee, and the terms on which he stood with Mr Deane, we believe our readers will allow, that it must in the

nature of things have been extremely difficult for Mr Lee to persuade himself, that Deane could make a fair contract or deal with an honest man. The consequence was, that when Deane returned to America, and the accounts of these contractors were left to be settled by the other commissioners, Mr Lee's suspicions were awake, and manifested in so broad a manner, as soon to give offence to the persons with whom he was attempting to adjust their concerns. To show that you suspect a man's honesty is not the readiest way to conciliate his good will, or make him accommodating to your wishes. So it was in this case. The contractors were displeased with Mr Lee's mode of treating them, and avoided him as much as they could. This shyness Mr Lee construed into an evidence of fraud, or a faithless performance of duty. They sought refuge in the good nature of Dr Franklin, but here they found little consolation, for he did not pretend to settle their accounts, and could only sympathize in their perplexities. Indeed, this only added fuel to the flame, for Mr Lee's suspicions were doubly wakeful when his colleague was in any way concerned. This is our view of his activity in detecting frauds, and of its consequences.

It seems to us, that there is another and much deeper cause of the settled enmity of Mr Lee to Dr Franklin, which he never pretended to conceal in conversation, or in writing to his friends, after he had been a few months in Paris. It is well known, that all his interest, and that of his friends in Congress, were used to procure Dr Franklin's recall from France, with the view of securing Mr Lee's appointment in his stead. His letters were filled with censures of Franklin's conduct, boldly affirming his unfitness for such a station, and at all events recommending, that, if it was impossible to effect his recall, he should be sent to an interior government, where he could do neither harm nor good. A few paragraphs from Mr Lee's letters will set this subject in a clearer light. To Samuel Adams he writes, on the fourth of October, 1777; 'I have within this year been at the several courts of Spain, Vienna, and Berlin, and I find this of France is *the great wheel that moves them all.* Here therefore the most activity is requisite, and if it should ever be a question in Congress about my destination, *I should be much obliged to you for remembering, that I should prefer being at the court of France.*' Vol. II. p. 113. Again, on the same day he writes to his brother, Richard Hen-

ry Lee, then in Congress; 'My idea of adapting characters and places is this; *Dr Franklin to Vienna, as the first, most respectable, and quiet;* Mr Deane to Holland; and the Alderman (William Lee) to Berlin, as the commercial department; Mr Izard where he is; Mr Jennings at Madrid, his reserve and circumspection being excellently adapted to that court. France remains the centre of political activity, and *here therefore I should choose to be employed.*' p. 115. Again to Richard Henry Lee; 'Things go on worse and worse every day among ourselves, and my situation is more painful. I see in every department neglect, dissipation, and private schemes. Being in trust here I am responsible for what I cannot prevent, and these very men will probably be the instruments of having me called to an account one day for their misdeeds. There is but *one way* of redressing this and remedying the public evil; that is, the plan I before sent you, of appointing the Doctor, *honoris causâ*, to Vienna; Mr. Deane to Holland; Mr Jennings to Madrid; *and leaving me here.* In that case I should have it in my power to call those to an account, through whose hands I know the public money has passed, and which will either never be accounted for, or misaccounted for by connivance of those who are to share in the public plunder.' p. 127. Here truly is a most persuasive argument for Congress to make Mr Lee minister to France. What a frightful picture is here drawn of the mismanagement, disorders, and distracted condition of the American affairs at that court, and what deplorable consequences must ensue, unless that '*one way*' is resorted to, of sending Dr Franklin to the capital of Austria, and setting Mr Lee to turn the '*great wheel*' at Paris, by the magical movements of which, under his control, an infallible remedy will be applied, and a radical reform suddenly effected.

In another letter to Samuel Adams, the same alluring prospect is again held out, on the easy conditions only of the same arrangement. 'If Mr Lloyd is appointed agent, *Dr Franklin sent to Vienna*, Mr Deane to Holland, *and I am left here*, we shall all act in concert; and not only have a full inquiry made into the expenditure of the public money, but establish that order, decency, and regularity, which are lately banished from the public business at present, so as to involve us in continual confusion and expense.' p. 137. Here we have the same modesty in the proposal, and the same temptation to comply

with it. But we shall not tax our readers with remarks on these extracts. Their language and their purpose are but too plain. We need not even ask whether a man, with such designs in his head, is to be credited for immaculate disinterestedness in representing the disabilities or disqualifications of a public officer, whom he is thus covertly attempting to undermine and supersede. Nor need we ask whether the vague charges of a man under such a bias, unless accompanied with proofs bearing the marks of truth as if written with a sunbeam, ought to weigh with a considerate mind more than a feather or a straw. Mr Lee abounds with charges, but seldom with facts to support them. In the above extracts, for instance, he charges *somebody* with neglect of duty, dissipation, private schemes, misdeeds, public plunder, and other heinous misdemeanors. But *who is it?* That is a secret which he keeps to himself. Where were these acts committed, when, how, and for what end? This is all a secret, and you are left to conjecture, suspect, and wonder. The only thing of which you are made positively certain is, that, if Dr Franklin can be got off to the quiet retreat of Vienna, and Mr Lee is left to control affairs in the bustling world of Paris, all disorders will cease, and a new era will commence in the young annals of American diplomacy.

We are far from wishing to screen Dr Franklin from any just imputation, that may rest against him in regard to these differences with his colleagues. It is not pretended that he was without fault, or that he gave no provocation for occasional dissatisfaction and ill feeling. But we do maintain, that no shadow of reproach can be cast on his integrity, either in his political negotiations or his management of money concerns while in Europe. That he was always as judicious in contracts, and careful in expenditures as a practised economist or man of business might have been, we are not prepared to say; but that he acted honestly, uprightly, and for the best interests of his country to the full extent of his knowledge and judgment, we are as entirely convinced, as we are that these facts can be affirmed of any public minister, who has ever gone from the United States to Europe. His great fame and extraordinary character gained him much admiration and notice in France, and placed him in a sphere above his colleagues. As their powers in office were equal with his, it was natural that they should be annoyed by this marked distinction shown

to him, particularly when taken in connexion with his usual manners to them, which were evidently not the most conciliatory or courteous. He seemed willing to enjoy the meed of his fame, without giving himself much trouble or concern about the social rank or public estimation of his associates. This may be accounted for in some sort by his advanced age and bodily infirmities, his habits of reserve in conversation, and his cold and cautious temperament. But the cause, wherever it may be found, does not palliate the defect, and we are as little disposed to apologize for the one as to disavow the other.

One of the insinuations of Mr Lee, to the disparagement of Dr Franklin's integrity, was, that he showed a culpable indulgence to persons, who, he knew, or ought to have known, made a misuse of public money. It is implied that this was a mode to which he was not reluctant to resort for the purpose of gratifying his friends; in other words, that, in this respect, he was faithless to his public trust, and a tacit abettor of frauds and criminal extravagance. Without the least hesitation, we pronounce such an insinuation as indefensible as it is reproachful. The commissioners had appointed Mr Williams, a nephew of Dr Franklin, to be a temporary agent to transact commercial business at Nantes. Mr Lee had a sharp difference, or rather a quarrel, with Williams about his accounts. Dr Franklin did not enter into the quarrel, and hence he was accused of showing a reprehensible indulgence to his nephew in regard to the pecuniary concerns of his agency; or, in short, that he wished to keep him in a post where he could put money in his pocket at the expense of the public. But let us appeal to Dr Franklin's own words. When Mr William Lee (who was then the chief commercial agent at Nantes) was about going to Prussia, he proposed to appoint Mr Williams to be a permanent agent. Dr Franklin wrote to him in reply as follows; 'Your proposition about appointing agents in the ports shall be laid before the commissioners when they meet. In the mean time I can only say, that, as to my nephew, Mr Williams, though I have from long knowledge and experience of him a high opinion of his abilities, activity, and integrity, *I will have no hand in his appointment, or in approving it, not being desirous of his being in any way concerned in that business.*' And yet we are called on to believe, that his holding the appointment was a scheme of Dr Franklin's to give him a chance to grow rich out of the public money!

Again, he repeatedly urged Congress to relieve him from the burden of the mercantile business, in the management of which nearly all the expenditures of the money that passed through his hands were made. 'The trouble and vexation,' he says, 'which these maritime affairs give me, are inconceivable. I have often expressed to Congress my wish to be relieved from them, and that some person better acquainted with them, and better situated, might be appointed to manage them. Much money as well as time would, I am sure, be saved by such an appointment.' On several occasions he reiterated earnestly the same request; that is, he desired Congress to take out of his hands the very means, which his enemies have asserted him to have been eager in retaining, for the purpose of advancing his private ends at the expense of his integrity. These facts require no comment.

A rumor went abroad soon after Dr Franklin's return from Europe, that there was a deficiency of a million of livres on his part during his residence in France, which remained unaccounted for, and his enemies took care to represent, that he was a defaulter to this amount. Indeed, it appeared on the face of the banker's accounts, that both he and Dr Franklin had given credit for receiving a million of livres more than the amount of expenditures reported by them. That is, they had acknowledged the receipt of three millions from the French government, as a free gift, at the beginning of the mission, when only the two millions, which we have heretofore mentioned as having been paid by quarterly instalments, were accounted for. This fact was communicated to Franklin by the Secretary of Congress, and he was as much puzzled with it as the Secretary himself. He wrote to Mr Grand, the American banker in Paris, who had signed the receipt with him, asking for an explanation. Mr Grand was equally puzzled, and applied to M. Dureval, an officer in the treasury department of France. The reply was, that from the books of the office it appeared, that *three millions* had been paid as a free gift, but that the payment of the first million was dated June 10th, 1776, six months before Dr Franklin arrived in France, and nearly seven before Mr Grand became the American banker. It followed that neither of these gentlemen could be in any way implicated in the payment or expenditure. Count de Vergennes declined giving a copy of the receipt of this million, or the name of the person to whom it was paid, alleging this to be a

thing of no consequence, since the money was a gratuity, and nobody was held answerable for it. When Gouverneur Morris was minister in France from the United States several years afterwards, he procured a copy of the receipt from the public office, which showed the money to have been paid to Beaumarchais, and this is the remnant of the celebrated claim of that individual and his heirs, which has been before Congress in one shape or another for more than half a century. We do not profess to give a history of this transaction, but merely to state such results as prove with what extreme injustice any injurious reflections were cast upon Dr Franklin respecting it.

Lastly, it has been often said, and is sometimes repeated at this day, that Dr Franklin never settled his public accounts. In its spirit and purport this assertion is essentially false. Some months before Dr Franklin left France, Mr Barclay, the American Consul to that country, arrived there, with full power and authority from Congress to liquidate and settle the accounts of all persons in Europe, who had been intrusted with the expenditure of the public money of the United States. Under this authority he examined methodically the entire mass of Dr Franklin's accounts. The difference between the result of his investigation and the statement of Dr Franklin was seven sols, or about six cents, which by mistake the Doctor had overcharged. Mr Barclay was ready to close and finally settle the accounts, but, *at Dr Franklin's request*, they were kept open for the inspection of Congress, because he believed there were other charges, which Congress ought rightfully to pay, but which Mr Barclay did not feel authorized to allow. Soon after his return, he sent his accounts to Congress, with a request that they might be examined, and the separate charges considered. Congress delayed the examination, and a few months before his death, Franklin wrote to Congress on the subject, as follows; 'Reports have for some time past been circulated here, and propagated in the newspapers, that I am greatly indebted to the United States for large sums that had been put into my hands, and that I avoid a settlement. This, together with the little time one of my age may expect to live, makes it necessary for me to request earnestly, which I hereby do, that the Congress would be pleased, without further delay, to examine those accounts, and if they find therein any article or articles which they do not understand or approve, that they would cause me to be acquainted with the same, that I may

have an opportunity of offering such explanations or reasons in support of them as may be in my power, and then that the accounts may be finally closed.' Nothing more needs be added, we believe, to vindicate Dr Franklin from censure or suspicion in regard to this subject.

We might pursue these inquiries through all their ramifications, and we are confident that the result would in every instance contribute to exalt the character and brighten the fame of Franklin. Prejudice has done him a wrong, which time and truth will adjust. He was an early, a true, a steady, an enlightened friend to his country, and for half a century a most able and faithful defender of her liberties. The more his political principles, designs, and acts are scrutinized, the more they will be found to demand the admiration, the respect, and the gratitude of his countrymen.

ART. IX.—*Memoir, Correspondence, and Miscellanies, from the Papers of* THOMAS JEFFERSON. Edited by Thomas Jefferson Randolph. 4 vols. 8vo. Charlottesville. F. Carr & Co. 1829.

THE publication of this work has excited an uncommon degree of interest. Mr Jefferson was an active leader of public opinion, from his first appearance as a politician until the close of his political career, a period of forty years; and he continued to influence by his advice the course of public measures, long after he had withdrawn himself within the shade of private life. He has stood before two generations. The same political doctrines which he first espoused, he advocated with persevering consistency long after most of those who were his original adherents or opponents had disappeared from the world. He survived to review the judgment which had been passed upon him by one age, and these posthumous documents will establish the rank which he is to hold in the estimation of the present age and of posterity.

There are no subjects so attractive to our curiosity or our sympathy, as the fortunes and trials, the reflections and purposes of eminent men. We love to watch their movements, as they appear conspicuously on the public stage, whether at

the head of armies, or uttering in the senate the public voice. We take an equal pleasure in following them into the retreat of the tent or the cabinet; to overhear secret debates and resolves, which are to determine the course of great events and decide the destiny of a nation. But it is a luxury of curiosity to be able to accompany a great man in the relaxation of his private hours; to be admitted under his roof, when he is relieved from the cares of office; to see him in the intercourse of domestic relations; to notice the character of his mind, when released from the restraints of public exhibition; to hear his soliloquies when he is off his guard; or gather from his confidence the maxims and lessons which are the result of his experience and reflection. The world is not willing to lose sight of a conspicuous man, as soon as he is retired from office. After the season of activity is past, there frequently remains the most valuable and interesting portion of life; when passion having subsided, the mind can survey the past with unclouded view; can connect causes with their effects; can follow virtue through trials and obstructions to its reward; can discover wherefore prudence has failed and folly has triumphed; and reconcile with the natural order of providence those events which have been called caprices of fortune. Had the Emperor Napoleon won the battle of Waterloo, he might have continued to hold his power, till the last pageant had conducted him to the vaults of St Dénis. The world would have lost that part of his story which now forms its moral; the shade which now gives relief and effect to the picture. The cruel state of security, in which the fears or the vengeance of his conquerors placed him, afforded to the last years of his life a leisure for calm retrospection, which successful ambition would not have allowed. He employed it in commentaries on his various fortune; in divulging his secret designs; unveiling the motives of his policy; the origin of his errors; in a word, in explaining the wonders of his reign. By becoming his own historian, he has made the last scene, the most useful of his life. Had his seclusion been voluntary retirement, he would have acquired by his merit that interest, which the sympathy of the world has generally accorded to his misfortune.

The eminent men, who have been willing to record the events of the times in which they were actors, and ingenuously to describe the part they took in them, have seldom resorted to a most natural expedient; one which anticipates and supersedes

the task of historical composition. It consists merely in the arrangement of a series of their own epistolary correspondence. And yet letters have a natural charm which cannot well be transfused into methodical history; for we may affirm, that while it is a most difficult task of literature to give spirit to a long narration of events foreign to the writer, there are few letters written under the excitement of the occasion, which fail of that success. Such writers seize the interest before it evaporates. Events, as soon as they have gone by and satisfied our curiosity, lose some lines of their first impression. Hopes or apprehensions, which once brought them near to us, gradually subside, and at length what first enlisted the feelings becomes, by lapse of time, a matter of speculation. So that it is a vain effort, which the historian makes, to impart to remote transactions the animation they once possessed. The colors have faded and cannot be perfectly revived. The botanist who describes flowers from the rich herbarium of Linnæus, may accurately show their distinctive characters, but their tints and forms, and all that delighted the eye, are lost. It is this curiosity to view the thought exactly as it springs up and unfolds itself in the mind, that is the source of the pleasure peculiar to epistolary writing. The effusions of friendship, the impulses of passion, common occurrences, and domestic incidents are attractive, when related without affectation of elegance or feeling. It is on this principle, that so many of the familiar letters of Cicero, not intended to last beyond the occasions on which they were written, have been handed down to posterity, while all his historical works have been suffered to disappear and be irrecoverably lost.

The correspondence of Mr Jefferson, contained in these volumes, commenced in the year 1775, and continued almost without interruption till June, 1826. He secured the advantage of perpetuating the part which he held in it, by the uniform practice of retaining copies of his own letters. As they were written mostly on political topics which occupied the public attention at their several dates; and the writer was, during a long life, intimately conversant with two eventful revolutions, the American and French; deeply interested in the fate of our country during its subsequent difficulties and divisions; and one of the principal organs of administration under the constitution of the United States, the consummation and reward of so much effort; these letters, addressed to the most distinguished men

of the age, must furnish very important and interesting materials for history. But political subjects never excluded from the mind of Mr Jefferson those which were still more congenial to it; the researches of philosophy, the developement of the mind, the discussion of morals, and whatever he thought would contribute to the benefit of mankind. The most impressive of his letters are those dictated by the kind and paternal feelings that distinguished his character; in which, without pretension or disguise, he gives his advice on the subject of education and conduct to those who regarded him as their friend and Mentor. He makes the following remarks in a letter to one of them on the subject of travel.

'This makes men wiser, but less happy. When men of sober age travel, they gather knowledge, which they may apply usefully for their country; but they are subject ever after to recollections mixed with regret; their affections are weakened by being extended over more objects; and they learn new habits which cannot be gratified when they return home. Young men who travel are exposed to all these inconveniences in a higher degree, to others still more serious, and do not acquire that wisdom for which a previous foundation is requisite, by repeated and just observations at home. The glare of pomp and pleasure is analogous to the motion of the blood; it absorbs all their affection and attention; they are torn from it as from the only good in this world, and return to their home as to a place of exile and condemnation. Their eyes are for ever turned back to the object they have lost, and its recollection poisons the residue of their lives. Their first and most delicate passions are hackneyed on unworthy objects here, and they carry home the dregs, insufficient to make themselves or any body else happy. Add to this, that a habit of idleness, an inability to apply themselves to business is acquired, and renders them useless to themselves and their country. These observations are founded in experience. There is no place where your pursuit of knowledge will be so little obstructed by foreign objects, as in your own country, nor any, wherein the virtues of the heart will be less exposed to be weakened. Be good, be learned, and be industrious, and you will not want the aid of travelling to render you precious to your country, dear to your friends, happy within yourself. I repeat my advice, to take a great deal of exercise, and on foot. Health is the first requisite after morality.' Vol II. pp. 218, 219.

To expose in one view the state of the thoughts, opinions, and motives, during a whole life, would be to most men an unwilling and hazardous undertaking. Yet the faithful exhibition

of letters written in a long series of years, in every variety of fortune, in the confidence of secrecy as well as unreserved assurance, does in fact present the entire character. Most men at the approach of death are desirous that those papers which have survived the topics on which they were written, though they might be perused without discredit, should be destroyed. The memorials of former times of health, activity, and pleasure, are taken up with the melancholy reflection, that the occasions are gone, and they are consigned to the flames with the hope, that, without their aid, our friends will hold us in their minds by the recollection of all the merit they have witnessed in us, and allow our faults to pass into indulgent oblivion. But Mr Jefferson, anticipating the claim which the interest or curiosity of the public would make upon his posthumous papers, voluntarily yielded them for publication; and conscious that he had put no disguise on his opinions when living, he felt no apprehension from an exposure of them after his death.

Prefixed to Mr Jefferson's correspondence is a summary biography from his own pen, of which the principal events are now generally known. It appears, his early acquisitions as an accomplished scholar were due chiefly to his own efforts, assisted with less than the usual aid from instructers. Before he was fifteen years old, he lost his father. At the age of seventeen he was placed at the university of William and Mary, where he remained only two years. The want of parental protection, however, was more than compensated by the spirit of determination and self-dependence which the necessity of personal effort inspired, and by the friendship of a few distinguished persons, which his unfolding merit attracted. His early instructer, Dr Small, to whom he acknowledges most gratefully his obligation for the first views he had 'of the expansion of science and of philosophy,' procured him the acquaintance of George Wythe. This excellent and learned man directed his legal studies, and introduced him to the notice of the public. He became a member of the legislature of Virginia in 1769; and his progress through all the honors which his native state could bestow to the highest dignities recognised by the American republic, was as rapid as the march of the revolution. His name was associated with its great events. He was among the first to commit himself and his future destinies on the great question of resistance to the encroachments of arbitrary prerogative, and of the right of the people to gov-

ern themselves. The instructions which he submitted to the Convention of Virginia for the government of their deputies to the first Congress, and the Declaration of Independence which he penned, are the avowals of principles he first imbibed—the principles of republican government. It was not owing to disappointment in his hopes of preferment, the chagrin of having his merits neglected by the pride of an aristocracy, or oppressed by the influence of the crown, that he espoused the popular cause. Among his first intimate friends was the Governor of the state, Fauquier. 'With him, and at his table, Dr Small and Mr Wythe, his *amici omnium horarum*, and myself,' says Mr Jefferson, 'formed a *partie quarrée*, and to the habitual conversations on these occasions I owed much instruction.' Till the war actually began, his principles allowed him to advocate colonial connexion with England; and to recognise in that power the right to direct the external commerce of the country. But all control over the essential privileges of freemen, the right of making laws for the government of their persons and the protection of their property, he considered arbitrary and inadmissible. In a letter to John Randolph, Esq. then in England (1775), he says,

'I wish no false sense of honor, no ignorance of our real intentions, no vain hope that partial concessions of right will be accepted, may induce the ministry to trifle with accommodation till it shall be out of their power ever to accommodate. If, indeed, Great Britain, disjoined from her colonies, be a match for the most potent nations of Europe, with the colonies thrown into their scale, they may go on securely. But if they are not assured of this, it would be certainly unwise, by trying the event of another campaign, to risk our accepting a foreign aid, which perhaps may not be obtainable but on condition of everlasting avulsion from Great Britain. This would be thought a hard condition to those who still wish for reunion with their parent country. I am sincerely one of those, and would rather be in dependence on Great Britain, properly limited, than on any nation upon earth, or than on no nation. But I am one of those, too, who, rather than submit to the rights of legislating for us, assumed by the British Parliament, and which late experience has shown they will so cruelly exercise, would lend my hand to sink the whole island in the ocean.' Vol. i. p 151.

The belief of Mr Jefferson that all legitimate government is founded on the consent of the people, and subject to their control, was not less firm than his conviction of the duty of en-

lightening the public mind, and of removing those institutions which obstruct the liberal expansion of the intellect. In his native state, it was due to him that the first restraints were taken from religion. He advocated and partially effected the passing of laws for the systematic diffusion of knowledge by schools of useful instruction. He assisted in reducing the inartificial mass of laws into a consistent and intelligible code, clearing a pathway through its perplexities, and breaking up the covers of chicanery. As the law of primogeniture, aided in its operation by that of entails, had, by accumulating and perpetuating property in certain branches of families, produced a species of aristocracy, he succeeded in having them both repealed. Extirpating thus the weeds which encumbered the ground, he prepared it for the growth of republican principles. In old countries, institutions acquire by age, which always inspires veneration, though it protect error, so firm a hold on the prejudices of mankind, that the reformation of an abuse is rarely effected at once. Innovation is admitted only by compromise. An unsightly ruin is retained, lest its removal weaken the support of some better edifice. Prescription becomes right, and ancient usage is an argument against further improvement. But in Virginia, the respect for the institutions and forms of society, which had been modelled on those of England, gradually yielded to the growing conviction that they were not congenial to the spirit of the age, nor compatible with the character of the people. Mr Jefferson, overcoming the obstinate resistance made by the patrons of the ancient system of laws, at length introduced one more liberal and republican. All this he accomplished, not by the force of popular eloquence, gaining a tumultuous and unreflecting vote. He was not distinguished as a public speaker. His voice did not possess the strength nor the intonations necessary to produce great popular effect. His influence was the force of an intellect exerting itself in written appeals to the understanding, or in unambitious discussions which carried persuasion by their candor and good sense. Those who excelled more in declamation, and took the lead in debate, not unfrequently received their instructions, without perhaps being aware of it, from Mr Jefferson; who could give counsel with so courteous and insinuating an address, as to control, without offending, the pride of opinion.

The principal attempt in which his philanthropic efforts were

unsuccessful, was the gradual emancipation of slaves, and the immediate inhibition of the traffic; and it is worthy of remark, that in his draft of the Declaration of Independence, one of the grievances charged upon the abjured sovereign was the constant negative which he put upon all laws passed in the colonies for the abolition of the slave-trade. His advocacy of the cause of the slaves is a proof, if any were wanting, that his motive for reform was not the desire of popularity, and that he was not disposed to flatter public opinion in order to obtain its support. On the contrary, he dared to attack it in a point where it was the most sensitive and intractable. In espousing the cause of the slaves he excited for the most part the jealousy of their masters. He could have no motive but the honor of his country and the impulse of humanity.

Mr Jefferson laid the basis of freedom in the mind. He knew all nations were not prepared for it. When he arrived in France and saw the people so blinded by superstition and ignorance as not to perceive their wrongs, though they were loaded with burthens of church and state which prostrated them to the earth, he did not suppose them capable of enjoying the benefits of a free government. And lately, when he saw the insurgent inhabitants of South America united in the effort to break from their colonial bondage, he expressed his apprehensions that they were not sufficiently enlightened to be capable of forming and supporting a government of their choice. The only alternative, which it is the misfortune of most nations to possess after a successful revolt, is anarchy or absolute power. They acquiesce in the authority of any one who, by force or corruption, has obtained predominance, and who will employ it in protecting them from the license of each other. It is the people who give character to institutions, and the confidence which Mr Jefferson had in the intelligence and good sense of the people of these states confirmed his belief in the adaptation of a free government to them. He wrote to Mr Adams,

'I have been amusing myself latterly with reading the voluminous letters of Cicero. They certainly breathe the purest effusions of an exalted patriot, while the parricide Cæsar is lost in odious contrast. When the enthusiasm, however, kindled by Cicero's pen and principles subsides into cool reflection, I ask myself, what was that governmeut which the virtues of Cicero were so zealous to restore, and the ambition of Cæsar to subvert? And if Cæsar had been as virtuous as he was daring and sagacious, what could

he, even in the plenitude of his usurped power, have done to lead his fellow-citizens into good government? I do not say to *restore it*, because they never had it, from the rape of the Sabines to the ravages of the Cæsars. If their people indeed had been, like ourselves, enlightened, peaceable, and really free, the answer would be obvious. "Restore independence to all your foreign conquests, relieve Italy from the government of the rabble of Rome, consult it as a nation entitled to self-government, and do its will." But steeped in corruption, vice, and venality, as the whole nation was (and nobody had done more than Cæsar to corrupt it), what could even Cicero, Cato, Brutus, have done, had it been referred to them to establish a good government for their country? They had no ideas of government themselves but of their degenerate Senate, nor the people of liberty, but of the factious opposition of their Tribunes. They had afterwards their Tituses, their Trajans and Antoninuses, who had the will to make them happy, and the power to mould their government into a good and permanent form. But it would seem as if they could not see their way clearly to do it. No government can continue good, but under the control of the people; and their people were so demoralized and depraved, as to be incapable of exercising a wholesome control. Their reformation, then, was to be taken up *ab incunabulis*. Their minds were to be informed by education what is right and what wrong; to be encouraged in habits of virtue, and deterred from those of vice, by the dread of punishments, proportioned, indeed, but irremissible; in all cases, to follow truth as the only safe guide, and to eschew error, which bewilders us in one false consequence after another in endless succession. These are the inculcations necessary to render the people a sure basis for the structure of order and good government. But this would have been an operation of a generation or two, at least, within which period would have succeeded many Neros and Commoduses, who would have quashed the whole process. I confess, then, I can neither see what Cicero, Cato, and Brutus, united and uncontrolled, could have devised to lead their people into good government, nor how this enigma can be solved, nor how further shown why it has been the fate of that delightful country never to have known to this day, and through a course of five and twenty hundred years, the history of which we possess, one single day of free and rational government. Your intimacy with their history, ancient, middle, and modern, your familiarity with the improvements in the science of government at this time, will enable you, if any body, to go back with our principles and opinions to the times of Cicero, Cato, and Brutus, and tell us by what process these great and virtuous men could have led so unenlightened and vitiated a people into freedom and good government, *et eris mihi*

magnus Apollo. Cura ut valeas, et tibi persuadeas carissimum te mihi esse.' Vol. iv. pp. 319, 320.

Mr Jefferson's mind partook of the character which he wished to communicate to society. His speculations all manifest a feeling of independence, which allowed no authority to restrain him in the indulgence of his thoughts. It is remarkable, that he never quotes the opinion of any other as the foundation or motive of his own. In whatever respect he held the reputation of the great or learned, he did not pay them the deference of receiving their belief or their doctrines without investigation; for there are few fancies so extravagant in morals or philosophy, as not to have received, at some period or other, the countenance of great names, and to have been allowed by their sanction to pass current in society. Men learn early to give up their understanding, and relieve themselves from doubt by reposing their confidence on superior authority. Education, too often begins by dictating to the infant intellect what is above its comprehension, and, with the best designs on the part of parents and instructers, the young are expected to express their conviction before their judgment can be informed. Thus is produced a most unhappy inversion of the operations of the mind. Assent is made to precede inquiry, and the young, instead of being wise, are made credulous. As the good Catholic repeats his Latin prayers, which he does not understand, with ignorant devotion, so many among us are taught to attach importance to professions, the meaning of which they do not know, and thus cultivate an early disposition to become either hypocrites or bigots.

Mr Jefferson recommends to a young friend and relative a habit of the mind which allows the greatest indulgence to the spirit of research, tempered at the same time by just apprehensions of error or deceit,—a habit which is called by those who practice it free inquiry, and by those who condemn it, free thinking.

Mr Jefferson has certainly expressed his belief and his doubts on religious subjects without restraint. In dissenting from the opinion of others whose piety and wisdom are entitled to veneration, he has not undertaken to advance his own with the pride or bitterness of a sectary. He has not condescended to disguise his sentiments for fear of provoking opposition, nor has he been ambitious to obtrude them on the public in the conceit of making converts.

We wish not to conceal, nor would it be worthy of our candor, in reviewing the writings of Mr Jefferson, to attempt to conceal the fact, that his sentiments upon some points of the Christian religion are hostile to our own; nor is it to be inferred, that, because we advocate the liberty of unrestrained discussion of even the most sacred subjects, that we feel any complaisance for some of the conclusions to which he arrived. It is in dissenting from him that we recommend a latitude of investigation, which will evince the confidence of the advocate, and result in the best vindication of the cause. Why should we suspend the exercise of our highest faculties upon a subject infinitely important above all others; and do religion the discredit of supposing that, lest we become skeptical by inquiry, prudence would recommend a quiescent submission of the understanding?

There is no medium; men must either form opinions for themselves or adopt those of others; and the history of the world from the earliest period shows that they have generally taken the latter alternative. In the ages of polytheism, it was the policy of the priests, in conspiracy with the civil government, to place religion, not in the heart or in the understanding, but in the imagination. The beautiful fables of mythology were interwoven with history, and made the subject of popular poetry. They were ever present to the sight as well as memory. They were painted on their walls and engraven on the festal bowl. The pomp of ceremonies, the imposing mystery of rites, all supposed that religious impressions were to enter the mind through the senses; and so far was reason from being consulted, that things mysterious and impenetrable were intentionally introduced into the religious creed for the purpose of withdrawing it from the province of the understanding. If an impartial and philosophic view be cast over the history of the Christian church previous to the reformation, what is the impression produced by the manner in which the human understanding has been treated by the pious frauds, the interpolations and perversion of Scripture, the fabulous legends, the prodigies, the miracles operated by the saints during their lives, and, after death, by their relics? Since the reformation, how many various and opposing doctrines have been added to the Christian faith, incomprehensible subtilties, and metaphysical speculations, which neither consulted the nature of man nor the attributes of the Deity. These have been the more delusive, since they have gratified that love of the marvellous,

which is the infirmity of weak minds, and even of contemplative minds of more vigor; for they love to stray on mystic ground, and to lose themselves in the pursuit of dreamy abstractions. Mr Jefferson, therefore, exhorts his young friend to begin by an impartial and rational examination of the first principles of the religion of nature as well as revelation; and cautions him not to allow his imagination to become excited till his understanding shall be consulted on a subject where error is fatal, and where, if he adopt without examination the tenets of another, he must bear all the responsibility himself. These principles of Mr Jefferson cannot be censured; for if inquiry be permitted, who shall undertake to limit the extent of lawful research? No Christian, able to give a reason for his faith, will allow he has received any portion of it from human dictation. For as we believe religion to be the noblest employment of the understanding, the basis of the best affections, and the source of our highest happiness and hopes, so we feel that any obstruction, either on the part of sects, associations, or the state, to fair and candid research into its truth and extent, is an infringement of the best human liberty, the liberty of conscience.

Mr Jefferson was opposed to what he conceived to be corruptions of Christianity, but not to the precepts of our Savior, nor his character in the light in which he viewed it. These he held in the highest admiration. In one of the conversations which, during the intervals of public cares, he was in the habit of having with his friend, Dr Rush, on moral and philosophical subjects, he promised to give him in writing his views of the Christian religion. In accomplishing this, he formed in his mind a comparison of Christianity with the ethics of the most celebrated philosophers of antiquity. The appearance some time after of Dr Priestly's treatise of 'Socrates and Jesus Compared,' which anticipated one branch of his design, reminded him of his engagement. He therefore communicated to Dr Rush, in a letter (of April, 1803), 'a syllabus of an estimate of the merit of the doctrines of Jesus compared with those of others.' This he confided to his friend, with a request that he would not allow it to be exposed to the public view, and subjected to malignant perversions of its meaning. For he complained that the spirit of party had made every sentiment of his a theme for misrepresentation; and as, on the one hand, he did not intend by such an exposure to second the designs of those who wished

to draw his religious tenets before the public, he did not incline, on the other, to recognise the right of the public to erect itself into an inquisition over religious opinions. This estimate is concluded in the four following articles;

'1. He corrected the Deism of the Jews, confirming them in their belief of one only God, and giving them juster notions of his attributes and government.

'2. His moral doctrines, relating to kindred and friends, were more pure and perfect than those of the most correct of the philosophers, and greatly more so than those of the Jews; and they went far beyond both in inculcating universal philanthropy, not only to kindred and friends, to neighbors and countrymen, but to all mankind, gathering all into one family, under the bonds of love, charity, peace, common wants, and common aids. A developement of this head will evince the peculiar superiority of the system of Jesus over all others.

'3. The precepts of philosophy and of the Hebrew code laid hold of actions only. He pushed his scrutinies into the heart of man, erected his tribunal in the region of his thoughts, and purified the waters at the fountain head.

'4. He taught emphatically the doctrine of a future state, which was either doubted or disbelieved by the Jews, and wielded it with efficacy as an important incentive supplementary to the other motives to moral conduct.' Vol. III. p. 509.

It was when the French people were in vain attempting to establish a new government, that Mr Jefferson received the account of the formation and adoption of the constitution of the United States. His experience in America of the inadequacy of the first confederation to promote the common welfare coincided with the opinion he found prevailing in Europe. The Congress had no authority to enforce its engagements independent of the sovereign pleasure of each state, and having no direct revenue, the public credit was reduced to a degree unworthy of the country. Mr Jefferson was mortified to see in the *comte rendu* of Mr Necker, that neither the principal nor the interest of the sum due by us to France could be relied on with any assurance; and it will scarcely be credited that he was subjected to the importunities of the French gentlemen who had served in our armies, for trifling arrears, which he had not funds to satisfy. It may, then, be well conceived with what satisfaction he heard of the adoption of a constitution, combining in independent organization all the powers essential to good government, and presenting us to foreign nations in a

character of union respectable for its force, rich in its resources, and competent to all its engagements. Not that he looked with despondence upon his country at any time. When left by the war in a state of waste, exhausted by ourselves, and ravaged by the enemy, he yet saw imperishable riches in the quality of the soil and the enterprise of its inhabitants. When our credit was most depreciated in Europe, he insisted there were no funds in the world so secure for the investment of capital as our own; and at length when discontent in Massachusetts broke out in insurrection, he was so far from dreading its consequences, that he turned it into an ingenious argument in favor of the stability of our government.

'Wonderful is the effect of impudent and persevering lying. The British ministry have so long hired their gazetteers to repeat and model into every form lies about our being in anarchy, that the world has at length believed them, the English nation has believed them, the ministers themselves have come to believe them, and what is more wonderful, we have believed them ourselves. Yet where does this anarchy exist? Where did it ever exist, except in the single instance of Massachusetts? And can history produce an instance of rebellion so honorably conducted? I say nothing of its motives. They were founded in ignorance, not wickedness. God forbid we should ever be twenty years without such a rebellion. The people cannot be all and always well-informed. The part which is wrong will be discontented in proportion to the importance of the facts they misconceive. If they remain quiet under such misconceptions, it is a lethargy, the forerunner of death to the public liberty. We have had thirteen states independent for eleven years. There has been one rebellion. That comes to one rebellion in a century and a half for each state. What country before ever existed a century and a half without a rebellion? And what country can preserve its liberties, if its rulers are not warned from time to time that this people preserve the spirit of resistance? Let them take arms. The remedy is to set them right as to facts, pardon and pacify them. What signify a few lives lost in a century or two? The tree of liberty must be refreshed from time to time with the blood of patriots and tyrants. It is its natural manure. Our convention has been too much impressed by the insurrection of Massachusetts; and on the spur of the moment, they are setting up a kite to keep the hen-yard in order. I hope in God this article will be rectified before the new constitution is accepted.' Vol. II. pp. 267, 268.

It was the conviction of Mr Jefferson, that government is generally more disposed to encroach on the privileges of the

people, than the people are to resist the prerogatives of government; that those who possess power are naturally inclined to increase it; and that the best men cannot be indulged with it unless circumscribed by the most jealous restraints. He never seems to have had any apprehension lest the constitution of the United States should not convey powers adequate to government. Though it was the weakness of the first confederation that caused alarm for our safety, and its feeble steps were supported only by the voluntary aid of the states, which gathered round it from a sense of common danger, but when this was removed, withdrew themselves, each to act its part in the new character of sovereignty. Still the fears of Mr Jefferson were directed against the unwarrantable extension and abuse of authority. The menacing pretensions of the British Parliament had inclined him to dwell more upon the grievances than the benefits accruing from government. His early apprehensions were turned to this source of alarm. His patriotism took this channel. His mind, operated upon by this powerful sentiment, seemed to acquire a permanent bias, as the oak, long exposed to the force of a wind prevalent in one quarter, at length becomes permanently inclined in that direction.

This jealousy of authority, however, did not prevent him from giving his approbation of all the powers which are enumerated in the constitution of the United States. There is not one which he would have withdrawn from it. Being abroad during the contests which, on this question, agitated the country, and, absorbing all other feelings and interests, divided it into two great parties, he had the advantage of standing on neutral ground, and of forming the judgment of a dispassionate observer. His friends and all whose favor he valued were arrayed on opposite sides, and his opinion was awaited with much interest. On a question so delicate, had he been capable of disguising his sentiments, he might have answered with diplomatic evasion and avoided all offence. His responses might have been so oracular and ambiguous, as to be interpreted in favor of either party, and not to commit him in any event. But it is certainly honorable to the character of Mr Jefferson, that, while the success of the constitution was yet doubtful, approving it as a whole, he nevertheless took the responsibility of stating objections; not addressed secretly to the disaffected, but openly to its friends and supporters. Before the government went into operation he wished to place around

it additional guards, lest it should pass its legitimate bounds. There were certain fearful prerogatives, which, lest government might incautiously assume them, he wished distinctly to denounce and place beyond its reach; as the prudent physician marks and labels poisons, carefully separating them from innocent medicines. He wished to see inserted into the constitution a bill of rights, recognising certain essential and inalienable privileges of the people and of the states. Most of these were afterwards, by general consent, made part of the constitution. Further reflection suggested to him other articles of precaution, giving more explicit security to the freedom of speech and of writing, exempting them from all restraint except where 'facts were alleged injurious to individuals, or the peace of the confederacy with foreign nations'; a further extension of the trial by jury to all cases of admiralty jurisdiction, except where a foreigner should be interested; additional provisions for the speedy operation of the writ of *habeas corpus;* precise limits to the extension of monopolies; a declaration that all troops of the United States should be *ipso facto* disbanded at the expiration of the term of service limited by Congress; and, finally, a prohibition that any but native citizens should serve in our armies in time of peace. But his predominant apprehension was, lest the president, being eligible from term to term, should at length contrive to retain his office during life, and ultimately to transmit it to his heirs. But the example of Washington, who retired after a second election, followed by the general sentiment that a longer continuance would be in any successor an invidious pretension, induced Mr Jefferson to wave this objection. He therefore approved the constitution, as far as it recognised the rights of the states and people, most cordially; in its other aspects, with some hesitation. He wished it success, and believed that future experience would discover and remedy any latent defects. The following extract gives the state of his opinions on this subject as early as the year 1788.

'The conduct of Massachusetts has been noble. She accepted the constitution, but voted that it should stand as a perpetual instruction to her delegates to endeavor to obtain such and such reformations; and the minority, though very strong both in numbers and abilities, declared *viritim* and *seriatim*, that, acknowledging the principle that the majority must give the law, they would now support the new constitution with their tongues,

and with their blood, if necessary. I was much pleased with many and essential parts of this instrument from the beginning. But I thought I saw in it many faults, great and small. What I have read and reflected has brought me over from several of my objections, of the first moment, and to acquiesce under some others. Two only remain, of essential consideration, to wit, the want of a bill of rights, and the expunging the principle of necessary rotation in the offices of president and senator. At first, I wished that when nine states should have accepted the constitution, so as to insure us what is good in it, the other four might hold off till the want of the bill of rights, at least, might be supplied. But I am now convinced that the plan of Massachusetts is the best, that is, to accept and to amend afterwards. If the states which were to decide after her should all do the same, it is impossible but they must obtain the essential amendments. It will be more difficult, if we lose this instrument, to recover what is good in it, than to correct what is bad, after we shall have adopted it. It has, therefore, my hearty prayers, and I wait with anxiety for news of the votes of Maryland, South Carolina, and Virginia. There is no doubt that General Washington will accept the presidentship; though he is silent on the subject.' Vol. II. p. 319.

But it appears that subsequent experience discovered two germs of evil, which at first escaped the penetration of Mr Jefferson. These were the implied powers deemed necessary to the execution of those expressly given, and the independent tenure of the judiciary. The constitution, in giving Congress specific powers for certain objects of legislation, allows it 'to make all laws necessary and proper for carrying into execution the enumerated powers.' This incidental or supplementary authority, being applicable to an infinite variety of acts, could not be particularly defined. Mr Jefferson conceived, it enabled Congress merely to use such means as should be absolutely necessary to execute the powers expressly given, and without which the latter would be nugatory. The construction, however, which has prevailed, has extended the compass of these means, so as to comprehend all those which are *useful and conducive* to legitimate purposes, as well as those *absolutely necessary*. The first case in which a questionable application was made of the implied powers of Congress, was the establishment of a national bank. It was on this occasion that Mr Jefferson, and those whose political opinions he represented, made a loud remonstrance against this alarming extension of the constitution. They asserted that the construction, which

permitted this act of the national legislature, was one which would break down all the barriers erected to circumscribe the authority of the federal government and protect the rights of the states and the people; that Congress would then enter into a boundless field of power, irresistible and without control. Such was the opinion which Mr Jefferson, while Secretary of State, delivered to General Washington. He concluded it by the candid avowal, that, unless the President should be satisfied by a comparison of the arguments for and against the bill in question, that it was unconstitutional, a just respect for the legislature should induce him to concur in its opinion.

Another unauthorized assumption of implied power was, in the opinion of Mr Jefferson, that of making roads, canals, and other internal improvements, within the jurisdiction of the several states. He regarded the inference as unfounded, that, because Congress has power 'to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare,' it has the power to do whatever it may think would promote the public good. That the meaning of the constitution was, that taxes were to be laid *in order* to pay the debts and provide for the general welfare, in other words, that the power conveyed was confined to the raising the revenue, and that the common defence and welfare were the *purposes* for which the revenue was to be raised; and that the construction, which would give Congress the general power of providing for the common good, would supersede all the other enumerated powers, and extend the authority of government without limitation.

It is certainly creditable to the wise foresight of the framers of the constitution, that so few acts of legislation of considerable importance should have been occasions of doubt, whether they were included within the delegated powers; and it is equally honorable to the general government, that there are not more subjects on which it can be pretended it has exceeded its limits. Yet most of these measures were offensive to Mr Jefferson, not so much because he thought them objectionable in themselves, as violations, in his opinion, of the constitution. In a protest, therefore, which he proposed to submit to the legislature of Virginia, he consented that the authority to make internal improvements should be comprised in an article to be added to the constitution by the legitimate majority of the states. The construction of Congress, however, upon these

subjects, seems to be already acceded to by the public; if such an inference may be drawn from the acquiescence manifested in the repeated exercise of these powers. It being competent to any state to submit a proposition explanatory of the constitution, which, by obtaining a concurrence of the legitimate number, becomes a part of the constitution, a most salutary preventive is thus furnished against the permanent admission of any unconstitutional doctrine; and that no such proposition on these subjects has been made with success, is a proof, that, in the opinion of the people, no manifest usurpation has been committed.

The second evil, which Mr Jefferson regarded as formidable in the constitution, was the great independence of the judiciary. He feared that the judges, holding their offices during good behavior, and being subject to removal only by impeachment and a vote of two thirds of the Senate, would feel that they possessed a freehold interest in the government; that however virtuous and enlightened, they would hardly be impartial in the decision of constitutional questions; and that, without being conscious of the influence of their political connexion, they would involuntarily incline to augment the authority of the general government, and increase their own jurisdiction. He therefore thought their appointment ought to be limited to 'four or six years, and renewable by the President and Senate.' They would thus, in his opinion, feel more dependence on the people, who, if dissatisfied with their conduct, would cause them to fail of a second appointment. In the independence of the English judges so much praised, he saw no argument for that of our own; for there they were placed above the control of the crown for the benefit of the nation; but here, he contended, it was for the benefit of the people that the judges should be under their control. These views seem to have been adopted by Mr Jefferson after there had arisen some unfortunate collision between the decisions of the Supreme Court of the United States and his own opinions; an accident which would not be so likely to occur in the case of judges holding their offices at the pleasure of the executive. But it was to prevent subserviency in the judiciary to the other departments, that it was made coördinate and independent. The conduct of the judges of Charles the Second and James the Second was in the recollection of the framers of the constitution. They intended that the judges should decide according

to their own opinion, and not according to the inclination of the other branches of the government, and for that cause removed them from all influence of fear or hope. What is the duty of the judiciary? It is to decide between the constitution and the government, on the one hand; and on the other, between the government and the people; and is it believed, that judges, who depend on their scanty salaries for subsistence, will not be insensibly inclined to the wishes of those, to whose disposal their offices are to be periodically consigned? Are we yet to learn, that men, even those who have a character to lose, change their opinions and their principles for the purpose of recommending themselves to the choice of the President and Senate of the United States? Such a tenure of office would at once sink the character of the judge into that of the political partisan. The decisions of our court upon constitutional law would command no more respect than the political judgments of Wright and Jeffries do at present. Besides, if the evil apprehended be, that the judiciary, as at present constituted, is too inclined to stretch the prerogatives of the general government, why should it be supposed, that a greater dependence upon the President and Senate would operate as a check upon that propensity? Are they permanently exempt from the spirit of aggrandizement, charged against those who exercise power? Does the share, which the judicial department holds in the general government, produce a disposition adverse to the pretensions of the states; and that, which the executive holds in the same government, create opposite tendencies? On the contrary, is it not a fact, that, in most instances, since the formation of the government, the chief magistrate of the United States has been more disposed, after his entry into office, to extend the sphere of general authority than before? On the questions of the national bank and internal improvements, has he not acquiesced in doctrines which, before the possession of office, were considered by him unconstitutional assumptions on the part of the United States? Even the greatest measure of Mr Jefferson's own administration, the acquisition of Louisiana, was not only an extension of the territory, but also of the constitution of the United States. So that the apprehension, that the judiciary is now disposed to extend its grasp upon the prerogatives of the states and transfer them to the general government, would be at least as formidable if the judiciary were more dependent on the executive. The ju-

diciary are already sufficiently connected with the executive. The latter has the prerogative of nominating, for vacant or newly created offices, those judges whose character and constitutional opinions it may approve. New occasions of appointment frequently occur by the death of incumbents, and in the course of a few years the majority of the court is recomposed. Since Mr Jefferson's first subject of complaint occurred, all the existing members of the court, with one exception, have been nominated by himself or his successors.

Suppose, however, they should violate their duty? Is impeachment, as Mr Jefferson thinks, 'a mere scare-crow.' Cannot two thirds of the Senate be induced to convict a culpable judge, when in trials by jury an unanimous verdict can be obtained against other offenders?

Shall the judges then be elected for short terms by the people? Mr Jefferson cited with approbation the practice of the state of Connecticut. But since he quoted that authority, the good sense of that state has placed its judiciary on the same independent tenure as that of the judges of the Supreme Court of the Union. But it is impossible to collect all the votes of the people, so that a majority shall decide in favor of an individual. No officer of the United States is so chosen. An electoral college must first he appointed to make the selection. And will that body merit more the confidence of the people, than the one now provided by the constitution? When the inconvenience of any other mode of election, or tenure of the judicial department, is maturely considered, we shall become more satisfied with the present.

Mr Jefferson's theory of the rights of a people was carried to an extent quite original. He believed that no generation has power to bind the succeeding one; that the age, which has past, had buried with it all the rights and obligations given it by the law of nature; in a word, that the dead cannot control the living. This thought occurred to him when he reflected on the enormous burthens entailed on the nations of Europe, which absorbed all their resources to pay the expense of wars in which they never had an interest, and of which they then saw all the folly. It would indeed be a most salutary doctrine which should prevent one age, after it has exhausted its own means, from drawing on posterity for the supply of its extravagance, or the support of its ambition. Wars would be less ruinous, if they could no longer be carried on upon the

credit of those who are yet unborn. It would be well for a new generation to come upon a clear stage, and not find it thrown into disorder by the mad scenes in which the preceding actors have finished their tragedy or their farce. This, however, cannot be. There are no lines which separate and distinguish the generations of a community. That stream of existence never stops to admit of admeasurement. One age passes away from another as insensibly as the twilight fades into night. When we think the day is entirely gone, we may discover some doubtful rays still lingering in the sky. It would be desirable for Great Britain to be free from the incumbrances of a former period; but how can she accept the benefits descended from her progenitors, without bearing the burthens attached to them? With what conscience can she enjoy the inheritance, without discharging, as far as she may be able, the debts? For after all the reproaches cast upon the past, it is certain, that, on balancing the account, the succeeding generations of men have in general received more than they have been engaged to pay. The world has been in a progressive state of improvement. Even the example of the follies and vices of our progenitors may be converted to our profit, as the chaff and stubble of one crop is made valuable nutriment to the succeeding. It is a great advantage, after all, to have been born in the latter ages of the world. The advance of knowledge and the arts of civilization has made the world happier as it has grown older. Discoveries, which anciently never came within the imagination of men, have been accomplished for our benefit. New combinations have made what was once inert and unprofitable subservient to our gratification. The first tribes found the world in a state similar to the wild and savage wastes discovered by Van Dieman. That we are not left to occupy an earth like this, is owing to the gradual accumulation of benefits which one age has transmitted to another. There is no danger that posthumous obligations will crush the energies of a new race. When the weight becomes too heavy the most patient of animals throws it off his back. The fate of the national debt of France, at the period of the revolution, is a proof, that men do not need any new principle to exonerate them from what they cannot without difficulty pay.

It would be practicable, if nations were so disposed, to establish the law, that no obligation, either political or pecuniary, should endure longer than the term of thirty-four years, which

is computed to be the average extent of the future existence of the majority of mankind living at any period. Mr Jefferson accordingly submits to his friend, Mr Madison, the expediency of inserting an article into the constitution of the United States prohibiting them from either contracting or paying any debt having a longer duration. Revolving in his mind the same principle of the limitation of the rights of a generation, he perceives it to be applicable to the constitution itself; and concludes, 'that every constitution and every law naturally expires at the end of thirty-four years. If it be enforced longer, it is an act of force, and not of right.' It would be injustice to Mr Jefferson not to add, that all the advantage he wished to be taken in the United States of this theory of obligations, should be against debts contracted after a public declaration of the principle. He wished to discredit and disable the borrower, not to procure the forfeiture of a just debt. He concludes his letter in the following words;

'Turn this subject in your mind, my dear sir, and particularly as to the power of contracting debts, and develope it with that cogent logic which is so peculiarly yours. Your station in the councils of our country gives you an opportunity of producing it to public consideration, of forcing it into discussion. At first blush it may be laughed at as the dream of a theorist; but examination will prove it to be solid and salutary. It would furnish matter for a fine preamble to our first law for appropriating the public revenue; and it will exclude at the threshold of our new government the ruinous and contagious errors of this quarter of the globe, which have armed despots with means, which nature does not sanction, for binding in chains their fellow men. We have already given, in example, one effectual check to the dog of war, by transferring the power of declaring war from the executive to the legislative body, from those who are to spend to those who are to pay. I should be pleased to see this second obstacle held out by us also in the first instance. No nation can make a declaration against the validity of long contracted debts so disinterestedly as we, since we do not owe a shilling which will not be paid, principal and interest, by the measures you have taken, within the time of our own lives.' Vol. III. p. 31.

Having been one of the leading promoters of our independence, Mr Jefferson was appointed a commissioner, with Dr Franklin and Mr Deane, to enter into a treaty of alliance and commerce with France. The state of his family, and his belief that his services here would be more valuable to his coun-

try, induced him to decline that office. A few years afterwards (1781), he received another appointment as one of the commissioners to treat for peace with Great Britain, under the mediation of the Empress of Russia, which for the same reasons he also declined. The appointment was repeated in 1782, but before he could embark for France, as he intended, news arrived that the provisional treaty had been signed by the other commissioners. The object of his mission being thus accomplished, he became again a delegate to the Congress, and made the celebrated report upon which the system of our currency has since been established. The dollar was proposed as the unit of computation, to be multiplied and divided in a decimal ratio. The advantages of this system can be duly estimated by those only who compare it with the inartificial modes of computation and the varying standards then prevailing in the several states.

He was appointed by Congress (May, 1784,) minister plenipotentiary, with Dr Franklin and Mr Adams, for negotiating treaties of commerce with foreign nations. Conferences were held in Paris with the ministers of Spain, Portugal, Prussia, Holland, Denmark, and Tuscany. But no treaty was effected except with Prussia and Morocco. The offer made was to place the commerce of each on the ground *gentis amicissimæ*. The American government was desirous of procuring a more general and permanent admission into the European colonies. This privilege, it was thought, might be purchased by the advantage of a most profitable commerce, which we might offer to the mother countries; that of exchanging their manufactures for our unwrought materials. But the resources of these states, impoverished by a long war, and discredited by an accumulation of debt, public and private, which they could not discharge, did not offer to foreign nations tempting motives to commercial engagements. The truth is, our commercial reputation was not highly appreciated by most nations of Europe. They viewed us in the light in which an old and prudent house of trade regards a young merchant who has acted with spirit and honor in vindicating his character, but, in doing it, has had the misfortune to lose his capital. With England in particular, the treaty of peace, not having been fully executed by either party, became the subject of mutual recrimination. The presence of Jefferson and Adams as ministers at the court of their former sovereign, probably revived the recollection of those

events with which their names were associated, and their advances were met with cold and uncomplying reserve. After repeated attempts to introduce a discussion with the minister, they were left to understand, by the ceremonious distance at which he placed himself, and the civil but total neglect of themselves and their proposals, that their errand was most ungracious

While resident in Paris, Mr Jefferson was presented by Dr Franklin to the acquaintance of the learned, the literary, and accomplished. His official character gave him admission to the brilliant circles of the court, where he was received with flattering marks of the predilection then felt in France for America, added to the usual courtesy and grace so captivating in the best French society. His 'Notes on Virginia' had made him known as an author. The original and philosophical character of his remarks recommended the book to the prevailing taste. The French had become tired of the established order of things, of their old notions of government and religion, of the monotonous parade of church and state. A philosopher and republican from America, possessing high rank, but wearing no order or decoration, was, till the appearance of Dr Franklin and Mr Jefferson, a novel spectacle in the splendid *salons* of Paris. Assuming no distinction, the simplicity of their exterior attracted more notice. The natural amenity of Mr Jefferson's manners confirmed the advantages of the first impression. The cordial reception he enjoyed could not fail to predispose him in favor of French manners. Conversation changed according to inclination from severer topics to gay, and gave vivacity to all. Politics did not there, as in other countries, drive men into clubs, separating them from the female and most agreeable part of society. Parisian ladies made politics subjects of conversation, and imparted to them a new interest. In the *soirées* of the Chaussée d'Antin, a question of state policy was discussed with as much pleasure as the arrangement of an opera, or the merit of a ballet.

Besides M. Necker, whose character Mr Jefferson has drawn with great discrimination, he corresponded with Madame Necker and their celebrated daughter. The following letter, dated at Nismes, written during an excursion to the south of France and Piedmont, to Madame la Comtesse de Tessé, shows the sportive and versatile humor of Mr Jefferson, which could so well combine pleasantry and compliment with

the details of the arts and of politics. It besides gives us his first views of the French revolution.

'Here I am, Madam, gazing whole hours at the *Maison Quarrée*, like a lover at his mistress. The stocking-weavers and silk-spinners around it consider me as a hypochondriac Englishman, about to write with a pistol the last chapter of his history. This is the second time I have been in love since I left Paris. The first was with a Diana at the Château de Laye-Epinaye in Beaujolois, a delicious morsel of sculpture, by M. A. Slodtz. This, you will say, was in rule, to fall in love with a female beauty; but with a house! It is out of all precedent. No, Madam, it is not without a precedent in my own history. While in Paris I was violently smitten with the Hôtel de Salm, and used to go to the Tuileries almost daily to look at it. The *loueuse des chaises*, inattentive to my passion, never had the complaisance to place a chair there, so that, sitting on the parapet, and twisting my neck round to see the object of my admiration, I generally left it with a *torticollis*.

'From Lyons to Nismes I have been nourished with the remains of Roman grandeur. They have always brought you to my mind, because I know your affection for whatever is Roman and noble. At Vienne I thought of you. But I am glad you were not there; for you would have seen me more angry than I hope you will ever see me. The Prætorian palace, as it is called, comparable, for its fine proportions, to the *Maison Quarrée*, defaced by the barbarians who have converted it to its present purpose, its beautiful fluted Corinthian columns cut out in part to make space for Gothic windows, and hewed down in the residue to the plane of the building, was enough, you must admit, to disturb my composure. At Orange, too, I thought of you. I was sure you had seen with pleasure the sublime triumphal arch of Marius at the entrance of the city. I went to the *Arenæ*. Would you believe, Madam, that in this eighteenth century, in France, under the reign of Louis the Sixteenth, they are at this moment pulling down the circular wall of this superb remain to pave a road? And that too from a hill which is itself an entire mass of stone, just as fit, and more accessible? A former intendant, a M. de Basville, has rendered his memory dear to the traveller and amateur by the pains he took to preserve and restore these monuments of antiquity. The present one (I do not know who he is) is demolishing the object to make a good road to it. I thought of you again, and I was then in great good humor, at the *Pont du Gard*, a sublime antiquity, and well preserved. But most of all here, where Roman taste, genius, and magnificence excite ideas analogous to yours at every step. I could no longer oppose the inclination to avail myself of your permission to write to you, a permission given with too much

complaisance by you, and used by me with too much indiscretion. Madame de Tott did me the same honor. But she being only the descendant of some of those puny heroes who boiled their own kettles before the walls of Troy, I shall write to her from a Grecian, rather than a Roman canton; when I shall find myself, for example, among her Phocæan relations at Marseilles.

'Loving, as you do, Madam, the precious remains of antiquity, loving architecture, gardening, a warm sun, and a clear sky, I wonder you have never thought of moving Chaville to Nismes. This, as you know, has not always been deemed impractibable; and, therefore, the next time a *Surintendant des bâtiments du Roi*, after the example of M. Colbert, sends persons to Nismes to move the *Maison Quarrée* to Paris, that they may not come empty-handed, desire them to bring Chaville with them to replace it. *A propos* of Paris. I have now been three weeks from there, without knowing anything of what has passed. I suppose I shall meet it all at Aix, where I have directed my letters to be lodged, *poste restante*. My journey has given me leisure to reflect on this *Assemblée des Notables*. Under a good and a young King, as the present, I think good may be made of it. I would have the deputies, then, by all means, so conduct themselves as to encourage him to repeat the calls of this Assembly. Their first step should be to get themselves divided into two chambers instead of seven; the *Noblesse* and the Commons separately. The second, to persuade the King, instead of choosing the deputies of the Commons himself, to summon those chosen by the people for the Provincial administrations. The third, as the *Noblesse* is too numerous to be all of the *Assemblée*, to obtain permission for that body to choose its own deputies. Two Houses, so elected, would contain a mass of wisdom, which would make the people happy, and the King great; would place him in history where no other act can possibly place him. They would thus put themselves in the track of the best guide they can follow, they would soon overtake it, become its guide in turn, and lead to the wholesome modifications wanting in that model, and necessary to constitute a rational government. Should they attempt more than the established habits of the people are ripe for, they may lose all, and retard indefinitely the ultimate object of their aim. These, Madam, are my opinions; but I wish to know yours, which I am sure will be better.' Vol. II. pp. 101–103.

While in Paris, Mr Jefferson became a witness of the first movements of the revolution, and the confidential friend of many of the men who were its promoters, and some of them its victims. Between him and Lafayette there had long been an attachment, founded on a union of services and of glory in

the same cause. With M. de Malesherbes, one of the council of state, and afterwards the advocate of the king on his trial, he had the most unreserved intimacy. He had intercourse with the diplomatic agents of the several cabinets, all of whom were curious to pry into the counsels of the court. Deriving his information from these sources, but particularly from his own observation, his letters contain the most lively and exact narration of the early transactions of that revolution, which are to be found in history. He was there a calm spectator, wishing, indeed, the reformation of the government, but not its overthrow. Loving the character of the French nation, he was hostile to the abuses that abridged its happiness. But he never advised or approved any of those measnres which have incurred the reproach of posterity. Having all his life defended the cause of the people against arbitrary power, it was natural that his feelings should take part with the nation against the court. His zeal, however, for reform was rational and discriminate. He wished to preserve the monarch and limit his prerogative. So that his sympathies were turned to the side of the king when he saw the people, transformed into a mob, act the part of a despot. He always recollected the obligations of his country to Louis the Sixteenth, and does justice to the kindness of his disposition and the rectitude of his intentions. He was convinced it was not the king who opposed the wishes of the public, and believed that he was always ready to recognise their rights, and establish a constitution on that basis. In advocating the king, he cast the blame of all obstructions to the calm progress of the revolution upon those who controlled him; upon the queen and her partisans; upon the high clergy and a majority of the *noblesse*. It is singular how just was his perception of the errors of that period, before experience of their consequences had denounced them to all the world. He seized upon one or two occasions, when, if the king had made the concessions which Mr Jefferson hoped he would make, the nation would not have demanded more; when, having regained all the rights necessary to form the elements of a good constitution, they would have peaceably employed themselves in reorganizing their government. But when no concession was obtained but what was extorted, and that, subject to be retracted, the people lost all confidence in the crown, and did not feel themselves safe till they had reduced it to a state of impotency. Sometimes encouraging the hopes of the people, and at others

espousing the cause of the *noblesse*, the king by turns incurred the resentment of both, without acquiring the confidence of either. He says, in a letter to La Fayette,

'Possibly you may remember, at the date of the *jeu de paume*, how earnestly I urged yourself and the patriots of my acquaintance to enter then into a compact with the king, securing freedom of religion, freedom of the press, trial by jury, *habeas corpus*, and a national legislature, all of which it was known he would then yield, to go home, and let these work on the amelioration of the condition of the people until they should have rendered them capable of more, when occasions would not fail to arise for communicating to them more. This was as much as I then thought them able to bear soberly and usefully for themselves. You thought otherwise, and that the dose might still be larger. And I found you were right; for subsequent events proved they were equal to the constitution of 1791. Unfortunately, some of the most honest and enlightened of our patriotic friends (but closet politicians merely, unpractised in the knowledge of man,) thought more could still be obtained and borne. They did not weigh the hazards of a transition from one form of government to another, the value of what they had already rescued from those hazards, and might hold in security if they pleased, nor the imprudence of giving up the certainty of such a degree of liberty, under a limited monarch, for the uncertainty of a little more under the form of a republic. You differed from them. You were for stopping there, and for securing the constitution which the National Assembly had obtained. Here, too, you were right; and from this fatal error of the republicans, from their separation from yourself and the constitutionalists, in their councils, flowed all the subsequent sufferings and crimes of the French nation. The hazards of a second change fell upon them by the way. The foreigner gained time to anarchize by gold the government he could not overthrow by arms, to crush in their own councils the genuine republicans by the fraternal embraces of exaggerated and hired pretenders, and to turn the machine of Jacobinism from the change to the destruction of order; and, in the end, the limited monarchy they had secured was exchanged for the unprincipled and bloody tyranny of Robespierre, and the equally unprincipled and maniac tyranny of Bonaparte. You are now rid of him, and I sincerely wish you may continue so. But this may depend on the wisdom and moderation of the restored dynasty. It is for them now to read a lesson in the fatal errors of the republicans; to be contented with a certain portion of power, secured by formal compact with the nation, rather than, grasping at more, hazard all upon uncertainty, and risk meeting the fate of their predecessor, or a renewal of their own exile.' Vol. IV. pp. 247, 248.

Mr Jefferson was not a man to be placed on such a stage, and to be admitted behind the scenes, without knowing perfectly what was performed. For these advantages he had. He saw the attack upon the Bastile.

'A committtee of magistrates and electors of the city were appointed by their bodies to take upon them its government. The mob, now openly joined by the French guards, forced the prison of St Lazare, released all the prisoners, and took a great store of corn, which they carried to the corn-market. Here they got some arms, and the French guards began to form and train them. The committee determined to raise forty-eight thousand *Bourgeois*, or rather to restrain their numbers to forty-eight thousand. On the 14th [July, 1789,] they sent one of their members (Monsieur de Corny, whom we knew in America,) to the *Hôtel des Invalides*, to ask for arms their *Garde Bourgeoise*. He was followed by, or he found there, a great mob. The Governor of the *Invalides* came out, and represented the impossibility of his delivering arms without the orders of those from whom he received them. De Corny advised the people then to retire, and retired himself; and the people took possession of the arms. It was remarkable, that not only the *Invalides* themselves made no opposition, but that a body of five thousand foreign troops, encamped within four hundred yards, never stirred. Monsieur de Corny and five others were then sent to ask arms of Monsieur de Launai, Governor of the Bastile. They found a great collection of people already before the place, and they immediately planted a flag of truce, which was answered by a like flag hoisted on the parapet. The deputation prevailed on the people to fall back a little, advanced themselves to make their demand of the Governor, and in that instant a discharge from the Bastile killed four people of those nearest to the deputies. The deputies retired; the people rushed against the place, and almost in an instant were in possession of a fortification, defended by one hundred men, of infinite strength, which, in other times, had stood several regular sieges, and had never been taken. How they got in has as yet been impossible to discover. Those who pretend to have been of the party tell so many different stories, as to destroy the credit of them all. They took all the arms, discharged the prisoners, and such of the garrison as were not killed in the first moment of fury, carried the Governor and Lieutenant Governor to the *Grève* (the place of public execution), cut off their heads, and sent them through the city in triumph to the *Palais Royal*. About the same instant, a treacherous correspondence having been discovered in Monsieur de Flesselles, *Prévôt des Marchands*, they seized him in the *Hôtel de Ville*, where he was in the exercise of his office,

and cut off his head. These events carried imperfectly to Versailles, were the subject of two successive deputations from the States to the king, to both of which he gave dry and hard answers; for it has transpired, that it had been proposed and agitated in Council to seize on the principal members of the States General, to march the whole army down upon Paris, and to suppress its tumults by the sword. But at night, the Duke de Liancourt forced his way into the king's bed-chamber, and obliged him to hear a full and animated detail of the disasters of the day in Paris. He went to bed deeply impressed. The decapitation of De Launai worked powerfully through the night on the whole aristocratical party, in so much that, in the morning, those of the greatest influence on the Count d'Artois represented to him the absolute necessity that the king should give up everything to the States. This according well enough with the dispositions of the king, he went about eleven o'clock, accompanied only by his brothers, to the States-General, and there read to them a speech, in which he asked their interposition to reëstablish order. Though this be couched in terms of some caution, yet the manner in which it was delivered made it evident that it was meant as a surrender at discretion. He returned to the Château afoot, accompanied by the States. They sent off a deputation, the Marquis de la Fayette at their head, to quiet Paris. He had, the same morning, been named Commandant-in-Chief of the *Milice Bourgeoise*, and Monsieur Bailly, former President of the States-General, was called for as *Prévôt des Marchands*. The demolition of the Bastile was now ordered and begun. A body of the Swiss guards of the regiment of Ventimille, and the city horse-guards joined the people. The alarm at Versailles increased instead of abating. They believed that the aristocrats of Paris were under pillage and carnage, that one hundred and fifty thousand men were in arms, coming to Versailles to massacre the royal family, the court, the ministers, and all connected with them, their practices, and principles. The aristocrats of the Nobles and Clergy in the States-General vied with each other in declaring how sincerely they were converted to the justice of voting by persons, and how determined to go with the nation all its lengths. The foreign troops were ordered off instantly. Every minister resigned. The king confirmed Bailly as *Prévôt des Marchands*, wrote to Mr Necker to recall him, sent his letter open to the States-General, to be forwarded by them, and invited them to go with him to Paris the next day, to satisfy the city of his dispositions; and that night and the next morning the Count d'Artois and Monsieur de Montisson (a deputy connected with him), Madame de Polignac, Madame de Guiche, and the Count de Vaudreuil, favorites of the queen, the Abbé de Vermont, her confessor, the Prince of Condé,

and Duke de Bourbon, all fled, we know not whither. The king came to Paris, leaving the queen in consternation for his return. Omitting the less important figures of the procession, I will only observe, that the king's carriage was in the centre, on each side of it the States-General, in two ranks, afoot, and at their head the Marquis de la Fayette, as Commander-in-Chief, on horseback, and *Bourgeois* guards before and behind. About sixty thousand citizens of all forms and colors, armed with the muskets of the Bastile and Invalids, as far as they would go, the rest with pistols, swords, pikes, pruning-hooks, scythes, &c., lined all the streets through which the procession passed, and, with the crowds of people in the streets, doors, and windows, saluted them every where with cries of *Vive la Nation;* but not a single *Vive le Roy* was heard. The king stopped at the *Hôtel de Ville.* There Monsieur Bailly presented and put into his hat the popular cockade, and addressed him. The king being unprepared and unable to answer, Bailly went to him, gathered from him some scraps of sentences, and made out an answer, which he delivered to the audience as from the king. On their return, the popular cries were *Vive le Roy et la Nation.* He was conducted by a *Garde Bourgeoise* to his palace at Versailles, and thus concluded such an *amende honorable* as no sovereign ever made, and no people ever received. Letters written with his own hand to the Marquis de la Fayette remove the scruples of his position. Tranquillity is now restored to the capital; the shops are again opened, the people resuming their labors, and if the want of bread does not disturb our peace, we may hope a continuance of it. The demolition of the Bastile is going on, and the *Milice Bourgeoise* organizing and training. The ancient police of the city is abolished by the authority of the people, the introduction of the king's troops will probably be proscribed, and a watch or city guards substituted, which shall depend on the city alone. But we cannot suppose this paroxysm confined to Paris alone. The whole country must pass successively through it, and happy if they get through it as soon and as well as Paris has done.

'I went yesterday to Versailles to satisfy myself what had passed there; for nothing can be believed but what one sees, or has from an eye-witness. They believe there still that three thousand people have fallen victims to the tumults of Paris. Mr Short and myself have been every day among them, in order to be sure of what was passing. We cannot find, with certainty, that any body has been killed but the three before mentioned, and those who fell in the assault or defence of the Bastile. How many of the garrison were killed, nobody pretends to have ever heard, Of the assailants, accounts vary from six to six hundred. The most general belief is, that there fell about thirty.' Vol. III. pp. 4–7.

Having obtained permission to come to America at the close of the year 1789, for the sake of conducting home his two daughters, it was his desire to return to the duties of his mission among a people, in whose uncertain destinies he had taken so anxious an interest. In the mean time, Washington, desirous of availing himself of Mr Jefferson's acquaintance with our foreign relations, as well as his other peculiar qualifications, tendered to him the office of Secretary of State. He did not allow his hopes and inclination to form an obstacle to the wishes of the President; and as soon as they were signified to him, he accepted the post without hesitation. It required all the talents of Mr Jefferson. Our engagements with France were embarrassing. The treaty of peace with England, yet unexecuted, left subjects of fresh hostility. The powers of the new government were yet untried, its jurisdiction unsettled, and a jealous opposition already formed. The state papers of Mr Jefferson on the subject of our fisheries, on weights and measures, on the Indian tribes, on our commercial duties and rights, may be considered as models, whether viewed in relation to their learning, their liberal views, the strength of the argument, or neatness of the style.

It is well remembered, that in many of the prominent measures of the federal government, Mr Jefferson differed in opinion from his great rival, General Hamilton. The cabinet was, during the administration of Washington, composed of four heads of department. When great questions arose, the President was in the habit of submitting them to the discussion of those officers in his presence, and sometimes of demanding their opinions in writing. In many of them they were equally divided, and left with him the responsibility of the decision. He had the satisfaction, however, of knowing, that the whole subject of debate had been by such minds completely investigated, and that a judgment deliberately formed upon such arguments would not afterwards be disconcerted or surprised by new objections. He had only to bring to a centre the diverging light. General Hamilton and Mr Jefferson, as the latter remarks, 'were daily pitted in the cabinet like two cocks.' It does not appear that they entered into the arena with any feelings of personal antipathy. While attacking each other's opinions with warmth, they forbore from the resort of vulgar combatants, that of assaulting each other's character. Though Mr Jefferson condemned the constitutional principles of Gen-

eral Hamilton, he bears testimony 'that he was an honest man.'

This composition of the cabinet shows the great force of the character of Washington. He began his administration with a divided cabinet. It was an experiment which had never succeeded in England. There a cabinet measure requires the support of every individual. It is true many questions have been brought before Parliament, such as Catholic emancipation and the slave-trade, where the king's ministers have arrayed themselves on opposite sides during successive administrations. But when a proposition becomes a government measure, if a member of administration does not lend it his support, he must quit his place. Though discrepances in opinion be permitted on other subjects, they must occur so rarely as not to present the character of opposition. The features of the members may differ, but their physiognomy must bear a resemblance.

It cannot be said, that the public mind was not in commotion at the commencement of Washington's administration. The fact was, that the vessel of state almost hung on her ways, and at length was launched into a sea of troubles. The constitution, adopted by a small majority, had to encounter the hostility of states as well as individuals. Every exercise of its powers was viewed with suspicion; and yet the first duties of the government were the most difficult and responsible. It had to begin by assuming eighty millions of public debt. This, with some other leading measures of that administration, did not meet with the concurrence of Mr Jefferson. He had not indeed taken his seat in the cabinet when the funding system was established, but to parts of it, particularly the assumption of the state debts, he afterwards expressed his entire repugnance. It required all the confidence which the nation had in the judgment and patriotism of Washington to obtain a majority of votes for these measures. As he risked his character on their operation, he is entitled to more honor on the success of the result.

It is not our intention to pursue the public history of Mr Jefferson to a later period. It is well known, that, on the wane of the federal party during the presidency of Mr Adams, the republican, at the head of which was Mr Jefferson, became predominant. The transactions of his administration, which excited so much feeling, have not yet reached the mo-

ment when they may become subjects for dispassionate investigation. They have not yet parted with the heat which the excited spirit of the period gave them. '*Nam quis nescit, primam esse historiæ legem, ne quid falsi dicere audeat? deinde ne quid veri non audeat? ne qua suspicio gratiæ sit in scribendo? ne qua simultatis?*'

Beginning the perusal of these books with feelings far from partial to Mr Jefferson, we confess that, as we advanced from page to page, we gradually yielded to the proofs of the frankness of his character, his great learning, and various genius. It gave us pleasure when we felt, in our own mind, candor recovering its influence over old and indistinct antipathies, and doing a late justice to merit which had suffered from detraction. We have a national interest in the reputation of our great men, as the glory of the country. We would not have others lessen it. It is most painful to see any jealous attempt of themselves to tarnish the honest fame of each other. Franklin, the man whose character, next to that of Washington, has in Europe reflected most credit on this country, has but lately escaped from the danger of being deprived of his best honor, that of fidelity to his public trust.

With these sentiments we could not see without regret an appendix, which contains a short account of the official connexion of Mr Jefferson with the distinguished men first associated with him. It is written in 1818, and speaks of some of them in such terms of severity, as would neither seem just to them, nor compatible with the mild and urbane temper of Mr Jefferson. The narrative is followed by memoranda of conversations had by him, or reported to him, at different times from 1791 to 1806. It appears they were selected from a still greater number which he had destroyed. Most of these memoranda, it appears, were written immediately after the conversations were said to be held; those published were reserved by Mr Jefferson for the purpose of furnishing 'testimony against the only history of the period which pretends to have been compiled from authentic and unpublished documents.'

On reference to these memoranda, many of them do not pretend to be more than reports, by officious informers, of what had been said by third persons in moments of conviviality or excitement. Political opinions are alleged to have been expressed by men of high dignity and established reputation, which they invariably disavowed to the public, and would have

considered a deep reproach. Imputations of grave import were carried to the ear of Mr Jefferson against men whose characters are dear and untarnished in Massachusetts; which, if the relators were entitled to credit, still rested on the veracity of third persons, had no basis but conjecture, and were certainly false. Reputation, founded upon a long life passed in the view of the public, should not be subject to detraction, which resorts for its materials to whispers, hearsay, and surmise. Mr Jefferson must have allowed his candor and discrimination to be imposed upon, when he suffered his suspicion to rest on the subject of the scandal, rather than the motive of the informer. Mr Jefferson did not fear that his own character would be stained by the numerous charges made against him, during the very period when these imputations reflecting on others were recorded. He never condescended to answer them. He said, 'Conversing with Mrs Adams on the subject of the writers in the newspapers, I took occasion to mention, that I never in my life had directly or indirectly written one sentence for a newspaper; which is an absolute truth.' During those inflammatory days, no character was safe from being traduced. It is related in one of these articles, that Washington became extremely indignant, and 'ran on the personal abuse which had been bestowed on him, defied any man on earth to produce one single act of his, since he had been in the government, which was not done on the purest motives;' 'that he had rather be on his farm than made emperor of the world; and yet that they were charging him with wanting to be a king.' Admitting that General Hamilton said, 'he preferred the British constitution, with all its corruptions, to any government in the world'; this was the opinion also of Montesquieu, De Lolme, and many other distinguished civilians. In agreeing with them, did he harbor a thought unfaithful to the constitution of the United States, which he had assisted to plant in the very soil from which he had aided to weed the roots of this British constitution? For a population containing privileged orders, it is true that the forms of the British government are best. Mr Jefferson recommended them to the French reformers. But it would be insanity to propose them to the people of the United States. Again,

'August 24, 1797. About the time of the British treaty, Hamilton and Talleyrand, bishop of Autun, dined together, and Hamilton drank freely. Conversing on the treaty, Talleyrand says, "Mais vraiment, Monsieur Hamilton, ce n'est pas *bien honnête*,

after making the Senate ratify the treaty, to advise the President to reject it." "The treaty," says Hamilton, "is an execrable one, and Jay was an old woman for making it; but the whole credit of saving us from it must be given to the President." After circumstances had led to a conclusion, that the President also must ratify it, he said to the same Talleyrand, "Though the treaty is a most execrable one, yet when once we have come to a determination on it, we must carry it through thick and thin, right or wrong." Talleyrand told this to Volney, who told it to me.' Vol. iv. pp. 502, 503.

Can it be supposed that these expressions did justice to the opinions of General Hamilton respecting the British treaty or its negotiator? It would seem that he recognised the justice of Talleyrand's remonstrance, that he had made dupes of his friends in the Senate, and imposed upon them the superfluous odium of ratifying an execrable treaty, which he intended the President should reject, but afterwards, for other reasons, thought he ought to ratify.

Tench Cox and one Beckley report to Mr Jefferson a variety of treasonable sentiments, which, whether said in jest or in anger, in moments of sportive festivity or of disputatious encounter during a wrangling session of Congress, are not surprising. The communicative diligence of Beckley, however, surpassed his discretion. His informations began to shake the confidence of Mr Jefferson; who notes one of them by saying, 'Beckley is too credulous.'

The facility with which expressions may be misapprehended, or do injustice to the intentions of the speaker, is shown in the last conversation which we shall quote. 'February the 6th, 1798. Mr Baldwin tells me, that in a conversation yesterday with Goodhue on the state of our affairs, Goodhue said, "I 'll tell you what, I have made up my mind on this subject; I would rather the old ship should go down than not;" (meaning the union of the states.) Mr Hillhouse coming up, "Well," says Mr Baldwin, "I 'll tell my old friend, Hillhouse, what you say;" and he told him. "Well," says Goodhue, "I repeat, that I would rather the old ship should go down, if we are always to be kept pumping so." "Mr Hillhouse," says Baldwin, "you remember, when we were learning logic together at school, there was the case *categorical* and the case *hypothetical*. Mr Goodhue stated it to me first, as the case categorical. I am glad that he now changes it to the case hypothetical, by adding, *if we are always to be kept pumping so*."'

Now it is happy for Mr Goodhue, that his remark was not reported to Mr Jefferson in the sense in which it was first apprehended; and that another occasion allowed him to repeat it in one less criminal.

What do most of these conversations prove, if correctly reported? Not the real opinions of the speakers. For they have uniformly, on all grave and responsible occasions, avowed opposite opinions. Their conduct has been governed by opposite principles. They had no motive to disguise them. Are these fugitive remarks to be regarded as confessions of general hypocrisy? No. They prove merely, that men in mirth, in the heat of argument, or in the spirit of contradiction, use expressions which they would not attempt seriously to justify. It is one of the indulgences which give delight to unreserved intercourse, that one may sometimes say an extravagant thing without expecting to be called upon to prove it reasonable, or to find it reported and recorded. Dr. Johnson, according to his amiable biographer, advocated duelling, and apologized for gambling. At the table of Sir Joshua Reynolds he said, speaking of claret; 'Poor stuff! No, Sir, claret is the liquor for boys; port for men; but he who aspires to be a hero (smiling) must drink brandy. In the first place, the flavor of brandy is most grateful to the palate; and then brandy will do soonest for a man what drinking *can* do for him. There are indeed few who are able to drink brandy. That is a power rather to be wished for than obtained. And yet (proceeded he) as in all pleasure, hope is a principal part, I know not but fruition comes too quick by brandy.'

The most interesting portion of the correspondence is that which Mr Jefferson, towards the close of life, held with Mr Adams. They had been coadjutors in former days of trial and danger. They had labored side by side in the same field. At length the separation of parties estranged them from each other. Each retired from the helm of state to his farm, his family, and his books. Their early companions had almost all disappeared; and they left alone among a new generation. The jealousies, inseparable from their late rivalry, neither of them wished any longer to feel or acknowledge, and whatever remained gradually gave place to the recollections of their ancient friendship. The infirmity of advanced age, which shows itself in the forgetfulness of recent events, while those of former days are still fresh in the mind, came in aid of their good

feelings. They more readily forgot the recent estrangement, and more easily returned to their former attachment. There was only wanting something to give occasion to the renewal of their correspondence. It thus occurred. Two of Mr Jefferson's neighbors having, by the invitation of Mr Adams, passed the day with him at Braintree; he remarked upon the injustice done by the licentiousness of the press to Mr Jefferson, adding; 'I always loved Jefferson, and still love him.' Mr Jefferson, in relating this anecdote, subjoins, 'This is enough for me. I only needed this acknowledgment, to revive towards him all the affections of the most cordial moments of our lives.' The ensuing remarks do honor to his candor and liberality.

'Changing a single word only in Dr Franklin's character of him, I knew him to be always an honest man, often a great one, but sometimes incorrect and precipitate in his judgments; and it is known to those who have ever heard me speak of Mr Adams, that I have ever done him justice myself, and defended him when assailed by others, with the single exception as to his political opinions. But with a man possessing so many other estimable qualities, why should we be dissocialized by mere differences of opinion in politics, in religion, in philosophy, or anything else. His opinions are as honestly formed as my own. Our different views of the same subject are the result of a difference in our organization and experience. I never withdrew from the society of any man on this account, although many have done it from me; much less should I do it from one with whom I had gone through, with hand and heart, so many trying scenes. I wish, therefore, but for an apposite occasion to express to Mr Adams my unchanged affections for him.' Vol. iv. p. 167.

Their former friendship thus revived, they continued to communicate to each other their opinions on government, morals, and religion. They amused their leisure by reviewing the speculations of Pythagoras and Plato, of Epicurus and Cicero, and derived a new pleasure from the studies of their youth, by applying to them the results of their long experience. The armor which, like old soldiers after their dismission from honorable service, they could no longer use, it was their pride to keep polished and retain in their sight. While all the busy world around them was engaged in the contentions of party or of business, they were peacefully interchanging their reminiscences of early life; inquiring after their surviving and departed companions; correcting inaccurate relations of their

own history; or comparing their reflections on the books which had become their resource and solace. It is to be lamented if now and then an unlucky spark from the passions of the world fell upon their retreat, and, enkindling an unhallowed flame in their own breasts, discovered that philosophy had not entirely removed from them all the old materials of combustion. Their strongest and latest feelings, however, were in favor of the liberty of men and of nations. It is a most interesting fact, which we repeat, that the last words of Mr Adams were those of patriotic ejaculation, responsive to the bell which then rung in celebration of the anniversary of our independence, and the last letter of Mr Jefferson was an expression of a hopeless wish 'to participate with his friends in the rejoicings on that day.' The same day, which had marked the most honorable epoch of their lives, was that in which Providence gave them the privilege to die.

The style and character of Mr Jefferson's writings resemble, in some respects, those of his friend Dr Franklin. They possess the charm of saying, without reserve or the appearance of studied ornament, the honest thoughts of the writer. They have a tone of good temper that wins the reader's partiality, and an earnestness that fixes his attention. They are like those well drawn portraits, which regard and follow us with their eyes in whatever direction we move. We do not suspect that the writer keeps anything back, but deals frankly and as a man of honor. In looking through this long series of letters, we find no change whatever in his principles. They continued in the same direction, extent, and impetus, through his life. If they overflowed the channels, in which prudence or reason would have confined them, he allowed them to pursue their natural course, and bear along or submerge whatever stood in their way. Another remark is, that whether he writes directly to an individual, or about him to a third person, the same sentiments are candidly expressed; and his opinions of public measures are conveyed in the same unequivocal language, whether addressed to their supporters or opponents.

He frequently indulged in the use of new words; and after his residence in France, his style was thought to partake of French idioms. There is, however, a great resemblance between his style in the page written in 1776, and that fifty years afterwards. The latter indeed flowed still more smoothly and with more facility. Perhaps, as was thought of Mr Hume,

the habits of expression acquired in the French language communicated to his sentences something of ease at the expense of energy.

Mr Jefferson also resembled Dr Franklin in the character of his mind and in his fortunes. Neither of them had a predilection for political concerns. The studies most congenial to their minds were the speculations of philosophy, the discoveries of science, and the pursuits of natural history. They each had a fondness for the mechanic arts. Engaged in similar objects, they enjoyed abroad the same scientific correspondence, and arrived at the same classical honors; and the traveller sees with pride their names associated and inscribed on the contributions, which America has made to the learned cabinets of Europe.

Dr Franklin also is more known as a writer than an orator. Some of his speeches are reported. Though they are distinguished by the peculiar and extraordinary features of his mind, and were always delivered with effect, yet it is remarked, that he never spoke longer than ten minutes. Mr Jefferson too, as has been remarked, wanting strength of voice, relied altogether upon his power of writing; and as nature is observed to compensate the loss of one sense by giving more force to another, so Mr Jefferson's disuse of public speaking seems to have thrown additional energies into his written composition.

Art. X.—CRITICAL NOTICES.

1.—*The History of Louisiana, particularly of the Cession of that Colony to the United States of America; with an Introductory Essay on the Constitution and Government of the United States.* By Barbe-Marbois. Translated from the French, by an American Citizen. Philadelphia. Carey & Lea. 1830. 8vo. pp. 456.

On a former occasion, when this work first appeared in France, we presented our readers with a brief analysis of its contents, and freely gave our opinion of its character and merits.* We recur

* See the North American Review for April, 1829, No. LXIII. p. 389.

to it, therefore, only to express the great pleasure we feel at seeing published in the United States a translation of a work, which we then described, and which we still consider, as the best that has ever been written by a foreigner on this country. The tone of it throughout is temperate, fair, and candid, and the author discovers a knowledge of the principles and forms of our government, and of its practical operations, altogether unexampled in any other European writer. For this attention to our history, and deep study into the nature and effects of our political and social institutions, he claims the gratitude of every American, and above all for the pains he has taken in this work to diffuse in Europe accurate information concerning subjects, which few on the other side of the water ever pretend to examine, and which none understands. For more than fifty years M. de Marbois has watched our national progress with an eye evidently partial to our interests and gratified at our success. His writings bear ample testimony to this declaration. As a sound and judicious exposition of the nature of our government the present work is valuable, but its peculiar interest consists in the history of the Louisiana Treaty, in which M. de Marbois held a conspicuous part. In whatever light it is considered, we cannot point to a single historical work more worthy of a place in every American library.

The translator merits high praise, not more for his patriotism in making this work accessible to American readers, than for the ability with which he has executed his task. Whether we regard the accuracy of the translation, or the finish of the style and his happy talent at clothing the sense of the original in the English idiom, we must concede to him the triumph of entire success. His pursuits and studies had eminently qualified him for the undertaking, and he had the further advantage of the society and conversation of the author during its progress. The following extract from the 'Translator's Notice' was written in Paris.

'Most foreign books, which have treated of the institutions of the United States, have been compiled with such illiberal feelings, and are at the same time so very inaccurate, that when, a short time after my arrival in Paris last autumn, the following book was placed in my hands, I conceived that I could not employ a few weeks' leisure more usefully, nor in a manner more congenial with my former pursuits, than by making it generally accessible to my fellow citizens. I was in hopes that, while the circulation of the original in Europe dispelled many unfavorable prejudices respecting my native country, my humble labors might not be without some effect in attaching the people of America still more firmly to those institutions, on which an enlightened and distinguished foreigner had pronounced a high encomium.

'The friendly spirit alluded to is not confined to the Introductory Essay, which particularly treats of the government, but will be found to pervade the whole of the subsequent History. Even while the political parties, into which the people of the United States were lately divided, were doing everything in their power to induce the world to believe, that on the election of a president were to depend the future destinies of that great and prosperous nation; the author, estimating more favorably the nature of the American institutions, confidently stated, that, "whatever might be the result of this domestic contest, the wisdom of the constitution was a guarantee as well for the moderation of the general as for the firmness of the magistrate."

'But the History of Louisiana and of its cession possesses claims to attention, though of a different character. It makes the citizen of the United States acquainted with the origin of his country's title to a territory, the importance of which, before the lapse of many ages, will be scarcely inferior to that of all the states of the original confederacy combined; and it unfolds to the statesman a diplomatic transaction, little noticed at the time, which must hereafter exercise the greatest influence on the general balance of power among the nations of Christendom.

'In most of the important events to which he alludes, the Marquis de Marbois had a direct participation, and as few foreigners can be named, whose official relations have been more beneficial to the United States than those of this respected individual, a cursory notice of his life may not be unacceptable to readers on the other side of the Atlantic. In French History he has long held an important place.

'Barbé-Marbois was born at Metz in 1745. He early entered the diplomatic service, and was appointed in 1769 secretary of the French legation to the diet of the empire, which held its sittings at Ratisbon. From this post he was, two years afterwards, transferred in the same character to Dresden, where, as well as in Bavaria, he for some time officiated as chargé d'affaires. On quitting the latter court he seems to have had the intention of entering on another career, and he was accordingly received as a counsellor of the parliament of Metz. But from his new pursuits he was soon withdrawn by the offer of employment in America, whose revolution then attracted universal attention.

'The government of France, having determined openly to espouse the cause of the English colonies, concluded with them in 1778 treaties of amity and alliance, and of commerce. As efficient aid in men and money was promised by its ally to the new republic, the functions of the French legation to the Congress were at that time far more important than in the ordinary cases of diplomatic representation. M. Gerard, the negotiator of the trea-

ties, who was sent to the United States in 1778 as minister plenipotentiary, having returned home the following year, was succeeded by the Chevalier de la Luzerne. M. de Marbois with great readiness accepted the appointment of secretary of legation, with which place that of consul general was united, and it is well known that he was the principal agent in the important operations of the embassy. In April, 1784, M. de la Luzerne took leave of Congress, and M. de Marbois was recognised as chargé d'affaires, in which situation he remained till his appointment in 1785 as intendant of St Domingo, an office for which he possessed, in an eminent degree, the appropriate talents. While in the United States, he married a lady of Philadelphia, by whom he had a daughter, now the wife of the Duke of Plaisance, the son of Le Brun, one of Bonaparte's colleagues in the consulate.

'In 1790 Marbois returned to France, and was named by Louis the Sixteenth his minister to the Diet at Ratisbon, but received instructions to proceed first on a special mission to the Emperor Leopold. At this time, though the king still remained an integral part of the constitution, the revolution had made great progress. The princes of the royal family and a large portion of the nobility had actually exiled themselves, and were preparing to attempt the recovery of their privileges by force of arms. When M. de Marbois came back to Paris from Vienna, he found that everything indicated the near approach of those bloody scenes which disgraced French liberty. He asked permission to resign his place, which was granted; the king and also the queen, at the same time, graciously signifying that he should be preserved for better times.

'During the reign of terror which succeeded, M. de Marbois' name having been placed on the list of emigrants, he was imprisoned, and recovered his liberty only with the fall of Robespierre. Under the constitution of the Directory he again engaged in public affairs. How far he was from upholding that old system, the abuses of which time had rendered intolerable to an enlightened nation, is sufficiently manifest from the whole tenor of his writings. In the Council of Ancients, to which he was elected in 1795, he proved, that, however much he might condemn the excesses of the revolution, to which he was a stranger, his sentiments were those of a Frenchman. He paid a just tribute to the merit of the army of Italy, and of its illustrious chief, at the same time that he attacked, without success, the law which excluded from the public service nobles and the families of emigrants.

'In 1797, when the contest took place between a majority of the Directory and the legislature, M. de Marbois was President of the Council of Ancients, and had a great share in the nomination

of M. Barthélemy as one of the Directory. A powerful faction having prevailed by a revolutionary movement, Barthélemy and Carnot, two of the Directory, as well as several members of both the legislative councils, were subjected to a species of ostracism. In this number M. de Marbois was included; he was transported, under circumstances of peculiar aggravation, to the pestilential regions of Sinnamari in Guiana. He remained there in exile till 1800, when he was recalled by the Directory to the inhospitable island of Oleron, and soon after, Bonaparte, becoming First Consul, annulled the unjust sentence against him and his companions in misfortune.

'On M. de Marbois' restoration to his country, he was made a counsellor of state and director of the public treasury. The latter office was changed in 1801 to that of minister of the public treasury, when he became a member of the cabinet. While in this situation, the negotiations with the United States for the cession of Louisiana, which gave rise to the present work, were confided to him as the plenipotentiary on the part of the French republic.

'In 1805, he received from Napoleon several honorary distinctions; but being averse to a system, which substituted for the usual sources of revenue extraordinary contributions from all the neighboring states, the consequences of which Marbois foresaw must ultimately be a general coalition of Europe against France, he resigned the ministry of the treasury in 1806, and retired to the country. He was, however, recalled to Paris, two years afterwards, to fill the office of first president of the court of accounts, the tribunal which has jurisdiction in all cases affecting the public receipts and expenditures.* In 1813, he was made a senator of the empire.

'On the restoration of the Bourbons in 1814, the king created M. de Marbois a peer, and he was confirmed in the presidency of the court of accounts. Having been exiled by Napoleon, during the hundred days, he was on the return of Louis the Eighteenth named minister, secretary of state, and keeper of the seals; but he soon after resigned this office to resume his former place in the court of accounts, the duties of which, though now eighty-four years of age, he still performs with the greatest exactitude. He is also constant in his attendance in the House of Peers, where he takes part in most of the important proceedings;

'* All the French courts are divided into chambers or sections, each of which has its own president. The first president is the magistrate who presides over the whole court when the several chambers meet together on important occasions. The public accounts are settled by judicial forms.'

and, at the opening of the present session he was named on the commission to whom the king's speech was referred. In all institutions having for their object the melioration of the condition of his fellow-beings, M. de Marbois engages with deep interest, and, notwithstanding his numerous engagements, he has within a few days consented to be a member of a council formed for the suppression of mendicity.

'The labors of M. de Marbois have not prevented his finding leisure for literary pursuits. Besides writing the Introduction to the Count de Goertz's Memoir on the Negotiations of 1778 for the Succession of Bavaria, he is the author of several works on Morals and Finance, and of some translations from German and English. He likewise published, in 1816, an account of Arnold's Conspiracy, preceded by an essay on the United States, which is characterized by the same liberal spirit as the present treatise. It was translated soon after its appearance by a distinguished American scholar.' pp. vii–xiii.

2.—*Hin forna Lögbok Islendinga sem nefnist Grágás*, i. e. *Codex Juris Islandorum antiquissimus, qui nominatur Grágás, ex duobus Manuscriptis pergamenis (quæ sola supersunt) Bibliothecæ Regiæ et Legati Arnæ-Magnæani, nunc primum editus; cum Interpretatione Latinâ, Lectionibus Variis, Indicibus Vocum et Rerum, præmissâ Commentatione historicâ et criticâ de hujus Juris Origine et Indole, ab* J. F. Schlegel *conscriptâ.* Havniæ, 1829, Sumptibus Legati Arnæ-Magnæani. 4to. tom. I. p. 505.

The work with the above title, which has just appeared at Copenhagen, cannot fail deeply to interest the curiosity of those who have made the laws and literature of the ancient North in any degree the object of their attention. Iceland, it is well known, was discovered and peopled by the Norwegians at a very early period, and afterwards became the asylum of those who fled from the tyranny that prevailed in Norway under Harold the Fairhaired and his successors.

The body of customary laws, which is now given to the public in a perfect and correct form, is a singularly curious monument of the political institutions and manners of this remote age and country. It was first reduced to a written text, and solemnly adopted by the people of that island, whilst they still retained their free and republican form of government. The odd name of *Grágás* was given to the code in comparatively modern times, and signi-

fies, literally, *grey geese*. According to Mr Schlegel, it serves to distinguish the ancient from the modern law, which last was introduced about the end of the thirteenth century, when Iceland submitted to the dominion of the kings of Norway. The ancient Icelanders always used, even on ordinary occasions, a highly poetical and figurative language. It was a proverb among them, that the *grey geese*, especially those of a peculiar sort, called *Hrota* in Icelandic, and *Brenta* in old English, live to a very old age; and the Icelanders always using a highly figurative language to express even the most abstract ideas, this name has given rise to an erroneous opinion, that the laws in question were derived from the Norwegian code published by king Magnus the Good under the same title.

One of the most remarkable circumstances that strike the reader in this antique collection of laws is, the subtile genius of the Icelandic lawyers, almost rivalling that of the Roman jurisconsults, although it is quite clear that they had not the remotest notion of the civil Roman law when this system of legislation was adopted; and even if they had known it, it would have been wholly inapplicable to their local situation and usages. It also elucidates the frequent reference to remarkable trials for crimes, and to other litigations growing out of the hereditary feuds which vexed this singular community, and of which the old *Sagas* contain such ample accounts.

This ancient Icelandic code was drawn up in the year 1117, by a deputation composed of the *Laghman*, or chief Man of the Law, and the cleverest lawyers of that time, from a previous collection called the laws of Ulsliot, made in 927, and the customs subsequently introduced, which were all revised and recompiled by the new commissioners so as to adapt them to the situation of the commonwealth and the interests of the people in the beginning of the twelfth century. Their *projét* was afterwards adopted by the people in the *All-thing*, or general assembly, in the following year (1118), and remained in force until 1275, when the republican government was abolished, and Iceland brought under the regal yoke of Norway. This of course introduced many alterations in the legislation of the country, some of them not for the better, and they are also to be regretted, inasmuch as the *Grágás* code is more extensive and detailed than the one introduced in 1280, and which still continues to be the principal law by which the island is governed.

Several additions were made to this last in 1130, and also in the thirteenth century. The faculty of interpreting the *Grágás* was attributed to the Chief Magistrate of the island, whose duty it was also to read portions of the code every year before the assembled people in the *All-thing*, with the necessary explanations, forms of

process, and actions, &c. The *Grágás* are divided into seven grand divisions or books, with a considerable regard to method and convenience of reference. The first treats of real actions; the second, of the descent of estates; the third, of infancy, and the condition of all others who, by the imbecility of their understandings, are placed under the peculiar protection of the civil magistrate; the fourth, of the nuptial contract; the fifth, of the contract of sale, and other conventions; the sixth, of criminal law, and especially of homicide; the seventh, of everything relating to the letting of lands and rural economy. At least this is the order of matters followed in the printed text, for the manuscripts on which it is founded pursue a different arrangement. The editors have consulted the text of two manuscripts of the thirteenth or fourteenth century, it is uncertain which, but which differ from each other in a remarkable manner. Professor Schlegel has endeavored to explain this difference, and seems to attribute the *Codex Regius* to the period between 1230 and 1250, and supposes that the *Codex Arnæ Magnæi* may have been written from thirty to fifty years later. The text is accompanied with a Latin version, for the convenience of those who are unacquainted with the Icelandic language. Those who wish to study the original will find the necessary assistance in the *Index Vocum*, prepared by the translator, M. Sveinfivernsen.

3.—*Danish Grammar, adapted to the Use of Englishmen, with Extracts and Dialogues, &c.* By Professor Erasmus Rask. Copenhagen. 1830. 8vo.

This small volume, by the great northern philologist, supplies what was very much wanted; for the old Danish grammar by Captain Schneider, which was published about thirty years ago, gave a very imperfect idea of the Danish language. The present work is adapted to the system of the old Scandinavian or Icelandic, and of the Anglo-Saxon and the ancient Gothic dialects. It will, therefore, not only be useful to the generality of students who wish to acquire a knowledge of the language sufficient for reading a book, or conversing with the natives of Denmark and Norway, but also to philologists, who wish to study and compare the different idioms of the North of Europe with each other, or to make use of them for the purposes of general grammar.

The grammatical part of the work is divided into four books; the first treating of orthography; the second, of inflection; the third, of the formation of words, or etymology, and the compounding of words; the fourth, of syntax. In treating of inflections,

our author rejects all cases formed by prepositions, and all tenses formed by auxiliary verbs, as Mr Grant has done in his English grammar. Of the use of the auxiliary verbs, Professor Rask treats in a separate section, but of their inflection he speaks in the class to which they bear the nearest relation. So also he divides the other irregulars between the regular conjugations and classes to which they seem naturally to belong, so that he has no chapter on the irregular verbs. In the nouns, he admits but of two cases, the nominative and genitive, but in some of the pronouns, three, there being also an objective case, just as in English; e. g.

de,	they,
dem,	them,
denes,	theirs.

In the verbs, our author has but two tenses, the present and past, so that if it were not for the compounding of the definite article with the nouns and for the passive voice in the verbs, the whole structure of the language, as exhibited by him, would be extremely like that of the English.

The grammar makes about one half of the volume, and contains an appendix on the Gothic or German alphabet, which is still much used in Denmark in printed works. In this part of the book the words are occasionally accented, and in the extracts almost always; and this is, so far as we know, the first Danish grammar, in any foreign language, where an accentuation of the words is attempted, though very material in order to distinguish the different sounds of *e* and *o*, as also the accented syllable in long words, which is as varied as in English.

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ERRATA. Page 306. Line 15, for *floated* read *flouted*; line 40, for *vein* read *view*.

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ART. I.—*Briefe von Joseph dem Zweyten, als characteristische Beiträge zur Lebens-und Staatsgeschichte dieses unvergesslichen Selbstherrschers.* Bis jetzt ungedrückt. Leipzig. F. A. Brockhaus. 1822.
Letters of Joseph II. Now first published.

Mr. Jefferson, in his letter on the kings of Europe, charges Joseph II. of Austria with insanity. It may be worth the while to give a little time to the consideration of the character of a ruler, about whom opinions have been so much divided. The materials are abundant, and now that the age of revolutions is past, history may be just to the imperial reformer. The prince, for whom Mozart composed music, Kaunitz negotiated, and Laudon won victories, occupies a prominent station among the sovereigns of Austria.

The contrast between monarchies and democratic states is in nothing more striking, than in the degrees and amount of political abilities, which they respectively call into action. Men may dispute, if they will, whether liberty be the fostering parent of the arts, and may continue to raise questions respecting the influence of forms of government on letters; but the turbulent contests, the unsparing and unqualified competition, allowed in popular states, quicken natural talents and furnish every facility and every inducement for their display. At courts the race is not necessarily to the swift; and men are naturally turned aside from the career of the public service, when no scope is furnished them for the full exercise of natural powers and the manly struggle for honors.

Hence it comes that histories of republics, even of small extent, and all republics but our own have been exceedingly limited in territory and in population, are filled with the names and virtues of illustrious men; and exhibit an activity of intellectual competition, which makes them brilliant with every kind of human distinction. Greece itself was but a small country, the whole of it not so large as one of the larger states in our confederacy; yet in the short period of its ancient independence, it furnished the world with examples of patriotic worth, that have remained as the acknowledged types of civil greatness. In the best days of Rome, the same results were again exhibited. In later ages, the arts, the prosperity, the commerce of Italy, made it the most opulent portion of Europe, in moral wealth, not less than in its flourishing finances, as long as it remained the most free; and the decline of heroism was almost contemporary with the cessation of civil emulation and political independence.

We are but repeating truths, which are trite and undisputed; yet they may still merit to be repeated and explained. The commonwealth of Athens embraced in its immediate jurisdiction the district of Attica only, with one or two small islands; the whole was not equal to more than one third of the state of Delaware; and its free inhabitants, according to the most accurate and probable computations, were but about equal, nay, were not quite equal, in number to the present population of Rhode Island. Yet from the days of Miltiades to the death of Demosthenes, what a rapid succession of men of the highest endowments! Nor were the talents of the greatest of them ever able to secure them from rivals. The contest of parties was fierce; yet when the popular will had removed one set of men from the public service, the state never suffered in any of its interests; others were always at hand to command the armies, to direct the fleets, to control the commonwealth. It never will cease to merit admiration, that on one little spot of earth, there should have lived, and almost contemporarily with each other, so many men, in whom mankind continues to take an undiminished interest. The free population of Athens, in its days of glory, was smaller than that of Boston; and Attica itself is inferior in extent to any one of the larger counties of our commonwealth.

To pursue an analogy or a contrast between the republics of antiquity and our own confederacy, would lead us from our

purpose. The comparisons we have made, were solely for the sake of calling to mind the very small physical force of the countries, which gave birth to modern culture. But were we now to compare Greece with that modern sovereignty, which claims the highest rank, we should find the most surprising points of difference. The imperial house of Austria has been accustomed to take precedence of other European sovereigns. Yet in the long line of those who have stood at its head, in the crowds of its servants in the civil department and in war, how many are there whom humanity would vindicate as her ornaments? How many of them live in the recollection of the world? Eugene, the brightest name in the whole list of the Austrian service, was a foreigner; his associates in power, and the emperors under whom he successively served, were hardly distinguished, except for their rank and their pusillanimity. The history of the republics of Europe, whether of Italy in the middle ages, or of ancient Greece, or of Holland, has a charm, which belongs to no part of the annals of Austria. In the one case, we seem to be travelling in a country where nature has assembled, in close proximity, all that she possesses of the beautiful and the grand; in the other case, as we descend the stream of time, we seem to be sailing down a sluggish current, and are carried through a wide but level country, where hardly a single cliff frowns in solitary grandeur, and a brighter spot is but seldom seen to interrupt the languid gloom of a barren monotony.

This view is forced upon us by the consideration of the whole subject. It is pitiable to see the moral weakness, which seemed at times in the sole possession of the government of the Austrian state; the imbecility, which lost Servia to Christendom, and so repeatedly changed the sovereignty of provinces. But if we pass from considering the merits of those, who made their way to the cabinet of imperial favor, and limit our attention to the talents of the men who have been on the throne, we shall find still less to admire. The Turks are the only nation of Europe, which can show a long succession of sovereigns of superior ability. According to the doctrine of Mr. Jefferson, it must have been because their sovereigns did not intermarry with royalty only; the breed was crossed by the liberty of the seraglio. But a less remote reason may be found in the fact, that the dignity of the sultan was in some measure an elective one; and that the numerous family of the reigning prince always

furnished many candidates for the succession. For the rest, the sovereigns of Christendom, most celebrated for their worth, would, with very few exceptions, have hardly raised themselves above a private station. The reigning princes of the age, whom Mr. Jefferson so unsparingly censures, were considered as an improvement on all that had preceded.

Of the sovereigns of Austria, there is perhaps no one whose praise is more unanimously repeated in the states which she swayed, with affectionate respect, than that of Maria Theresa. But that celebrated woman was superstitious and intolerant; and in other respects, in her acknowledged virtues, resembled any other matron, the fond mother of a large and hopeful* family. She was a faithful wife, a charitable woman, and a spirited regent; but her administration will not be clear without bearing in mind, that she had younger sons to provide for, and daughters to establish; and her favorite minister may have owed a good deal of his influence to his zeal in assisting the empress by all the wiles of diplomacy to marry her daughters well, and introduce into her family the most powerful princes and kings. It is because she was distinguished for the virtues of a wife and a mother, that she has been so much extolled in comparison with Elizabeth of England and Catharine of Russia. If she possessed original genius, a powerful mind, or very extraordinary talents of any kind, history has failed to preserve the clear marks of them. Of the Austrian monarchs, Charles V. is undoubtedly the most known. The panegyrists of royalty, assigning to him all kinds of distinction, claim for him also the merit of a wit. When at Brussels on some gala day, the ladies of the high Spanish and Neapolitan nobility were disputing about precedence in entering a church, 'Let the greatest fool go in first,' was the prompt reproof of imperial petulance. When on another occasion a captain in his service, rather arrogantly boasting of his courage, asserted that he did not know what fear was, 'Then,' said Charles, 'the man never snuffed a candle with his fingers, or he would have been afraid of burning them.' This homely rebuke is much better than the other; and if any one of the sons of Hapsburg ever said a wittier thing, their faithful but rather prosing and time-serving Plutarch has failed to record it.

Royalty itself is in the eyes of its subjects so majestic, that

* She had sixteen children, ten of them daughters.

moderate merit, belonging to it, is sure to be examined through a prism, and to receive a size and a coloring, which are unlike the reality. Does a monarch show a little ability in some one department? He is immediately exalted as a prodigy. Does he gain some crude notions of the benefit of free competition in business, and the nature of civil liberty? The world wonders where he could have gained his wisdom, tacitly acknowledging that the man whom the laws predestine to be a ruler, is least likely to acquire the knowledge necessary for his station. Does he show something of the curiosity, which is felt by thousands of private men, and arrive at some conclusions, which tend to diminish the severity of hereditary injustice? There will never be wanting flatterers or dupes, even among those pretending to be faithful historians, to extol his freedom from antiquated prejudice, and his sure sagacity of judgment.

Is it wonderful then, that there have been many, who have exhibited Joseph II. of Austria as a model of political wisdom and a genuine benefactor of humanity, while others have denounced him as a greedy despot, who assumed the mask of philosophy to disguise the excess of his covetousness, invaded the sacred rights of his subjects under the pretext of a fictitious philanthropy, and pleading a desire to secure the liberties of his subjects, aimed at the consolidation of an unlimited authority?

It cannot but be acceptable, to find that at last a series of his private and confidential letters has been printed. There was already before the public much that the emperor had written; but nothing so peculiar, so bold, and so sincere as may be found in the volume, which has led us to the present discussion. The letters, here communicated, were never intended for the public eye. Hence they are the more interesting and the better worth the public attention. There is a little mystery about the manner in which they came to be printed; but their authenticity is not questioned.

We shall allow the Emperor to speak for himself, giving a series of extracts from letters, which extend from his election to the rank of king of the Romans to the latter part of his life. Europe is still so divided by parties, that there the merit of any individual, whose influence is connected nearly or remotely with the French revolution, can hardly be justly appreciated. But in America no interest can exist, except to do justice; and in a country where there is no distinction of ranks, and no res-

pect of persons, it will give general pleasure if, on removing the splendid exterior of royalty, there should be found under its costly apparel the virtues of a man.

To the Grand Chancellor of the Empire, on being elected King of the Romans.

It is my sole wish, that my abilities may be sufficiently suited to the circumstances and to the dignity conferred on me. On the uprightness of my character, the sincerity of my designs, and my determination to maintain our national freedom, you may place implicit reliance. *****

Frankfort, April, 1764.

To Charles, Prince of Balthyan.

My dear Prince,—We travelled in company of the Grand Duke of Florence and the two Arch Duchesses Anna and Christina, to Inspruck, to be present at the marriage of my brother, when on the 18th, the melancholy catastrophe occurred; the emperor was suddenly struck with apoplexy, and expired in my arms.

My dear Prince, it is beyond the ability of a human being to depict the high degree of grief, the excess of sensations so clearly, as the heart of a son feels them on losing his father, by whom he was convinced that he was loved.

* * * * * * * * * * *

I am now four and twenty years of age. Providence has in my early days given me to drink of the cup of affliction; for I lost my wife after I had possessed her hardly three years.——— Dear Eliza! you will never be forgotten by me—and since your death I have felt sorrows that cannot be expressed. *****

Inspruck, August 20, 1765.

To one of the Generals in the Imperial Service.

General!—Put Count Von K. and Captain W. instantly under arrest. The Count is quick, young, proud of his birth, and full of false notions of honor. Captain W. is a veteran soldier, who insists on setting every matter right with sword and pistols; and who at once treated the challenge of the young Count with passion.

I wish, and will suffer no duel in my army; I despise the principles of those who defend the practice, who seek to justify it, and who shoot each other in cold blood.

When I have officers who bravely expose themselves to every danger from the enemy, who on every occasion that arises, display spirit, courage, and decision in attack and in defence, I

prize them highly; the indifference, which at such seasons they manifest for death, serves their country and advances their honor.

But should there be among them men, who are ready to sacrifice every thing to revenge and hatred of their enemy, I despise them; I hold such men to be no better than Roman gladiators.

Institute a court martial on these two officers, with the impartiality which I require in every judge; investigate the subject of their contest; and let the one who is most to blame, be the sacrifice of his destiny and the laws.

Such a barbarous custom, which is suited to the age of the Tamerlanes and the Bajazets, and which has often had such melancholy effects upon single families, I will suppress and punish, though it should cost me the half of my officers. There yet live men, who unite loyalty with heroism; but none can do this who do not respect the laws of the state.

August, 1771.

The letters which follow, will illustrate the Emperor's manner of thinking on the subject of religion, at the time when his mother was still at the head of affairs, and himself nominally her colleague.

To the Duke de Choiseul.

Sir,—For your confidence I thank you. You could count upon my support if I were ruler, and you have my entire approbation in respect to the Jesuits, and the plan for the abolition of their order.

Do not reckon much on my mother; the attachment to this order has become hereditary in the family of Hapsburg. Clement XIV. himself has proofs of it.

Yet Kaunitz is your friend; he has unlimited influence with the empress; he agrees with you and the marquis of Pombal as to their dissolution; and he is a man who leaves nothing half executed.

Choiseul! I know these people as well as any one; I know all their designs, which they have carried into effect, their efforts to spread darkness over the earth, and to govern Europe from Cape Finisterre to the North Sea.

In Germany they were mandarins, in France academicians, courtiers, and confessors, in Spain and Portugal grandees of the nation, and in Paraguay kings.

January, 1770.

To the Count de Aranda.

* * * * *

An institution, which the enthusiastic imagination of a Spanish veteran devised in one of the southern countries of Europe, which aimed at universal dominion over the human mind, and with this purpose strove to subject every thing to the infallible senate of the Lateran, could not but be a wretched gift for the present race of Germans.

The synedrium of these Loyolites made their fame, the extension of their greatness, and the darkness of the rest of the world, the first object of their plans.

Their intolerance was the cause why Germany had to endure the misery of a thirty years' war. Their principles deprived the Henrys of France of life and crown; and they were the authors of the edict of Nantz.

The mighty influence which they exercised over the princes of the house of Hapsburg, is too well known. Ferdinand II. and Leopold I. were their protectors to the last breath of their lives.

The education of youth, literature, rewards, the disposal of the highest dignities in the state, the ear of kings, and the heart of queens, every thing was entrusted to their wise direction.

* * * * * * * * * * * *

If I were capable of hatred, I could not but hate the race of men, who persecuted a Fenelon, and who produced the *Bulla in coena Domini.*

Vienna, July, 1773.

The communication to Frederic is in a new style of diplomacy. It was occasioned by the war, into which the aged hero believed himself compelled to enter, to prevent the incorporation of Bavaria with the hereditary states of Austria. Hostilities were terminated by the peace of Teschen, before any very brilliant achievements on either side.

To Frederic II. King of Prussia.

* * * * *

It seems to me you bear it too much in mind, that you are a successful general; that you have 200,000 well trained soldiers, and a colonel who has written a commentary on the work of *Cæsar de bello Gallico.* Providence has given as much to several other powers beside Prussia. If your majesty finds pleasure in leading 200,000 men to the battle field, I will meet you with as many. Will you try if you are still a successful general? I am ready to satisfy your love of fighting; and finally,

as to writing books on the art of war, I could name to your Majesty a couple of generals of mine, who have retired on pensions, and who from mere *ennui*, are commenting on the commentaries of the Count de Saxe.

I hope to find you on the banks of the Elbe; and when we have battled it, and given Europe a comedy of obstinacy, we will sheathe the sword.

Je savais bien que vous étiez fâché contre moi.

Jaronius, July, 1778.

To one of his Friends.

* * * * *

With this view Teschen was fixed upon as the place for the Congress. Upon this a great number of ambassadors appeared, and with vast wisdom toiled for three whole months at a peace, which leaves to Austria a small portion of Bavaria, that had already been acquired.

They did not fail to make the advantages of it appear very plain to the Empress, my mother, and to show the power of the King through a prism. Upon this they saluted each other with a world of compliments; and at Vienna sung and fired 99,000 Te Deums.

True, to spare the Empress pain, I confirmed the peace, and gave guaranties. But herein I can only compare my conduct with that of Charles V. in Africa, who returned to Spain with his fleet after a disgraceful campaign; he too went on board ship, but he was the last who did so. * * * *

Live contented as a sage; enjoy the attractions of your private station; and above all things, do not envy the felicity of kings.

Vienna, May, 1779.

Thus far Joseph was but an associate in power. We shall now see how he writes, as autocrat and emperor.

To the Duke de Choiseul.

*** The influence, which the clergy possessed during the reign of my mother, will be another object of my reforms. I do not like to see, that people, to whom the care of the future life is committed, give themselves so much trouble, to make our life here below an object for their wisdom. ****

Vienna, December, 1780.

To the Archbishop of Salzburg.

*** The internal administration of my states demands a reformation without delay. An empire which I govern, must be ruled according to my principles; prejudice, fanaticism, partial-

ity, and slavery of the mind, must be suppressed, and each of my subjects put in the enjoyment of his native liberties.

The monastic life has gained too much the ascendant in Austria; the number of foundations and cloisters has increased extraordinarily.——When I have torn away the veil from the monastic life, when I have banished the Arachne's web of ascetic doctrines from the lecture-rooms of my universities, and transformed the mere contemplative monk into the active citizen, then perhaps some of the party of zealots may reason differently about my reforms.

I have a hard task before me; I am to reduce the army of monks, fashion men out of *fakirs*, before whose shaven head the rabble reverently kneels, and who have gained a greater dominion over the heart of the citizen, than any thing which could make an impression on the human mind. Adieu.

Vienna, February, 1781.

To Cardinal Herzan, Imperial Minister at Rome.

My dear Cardinal,—Since I ascended the throne, and have worn the first diadem of the world, I have made philosophy the law-giver of my empire.

In accordance with its logic, Austria will receive a new form, the importance of the *Ulemas* will be restrained, and the rights of the crown regain their dignity. I must remove from the sphere of religion some things, which never belonged there.

Since I despise superstition and the Sadducees, I will free my people from them. To this end I will dismiss monks, break up their cloisters, and subject them to the bishops of their diocese.

In Rome they will call this an invasion of the rights of God; I well know they will exclaim, the glory of Israel is fallen; and complain that I take from the people their tribunes, and draw a dividing line between religion and philosophy; but they will be still more angry, that I undertake all this without asking leave of the servant of the servants of God.

To these things we must attribute the decline of the human understanding. A servant of the altar will not acknowledge that the state does but confine him to his proper sphere, in leaving him no employment but the gospel, and in preventing by law the children of Levi from possessing a monopoly of human reason.

The principles of the monastic life, from the days of Pachomius to our own, have been diametrically opposed to the light of reason; they proceed from the esteem of their foundations to the adoration of them; and thus we see revived in them the Israelites, who went to Bethel to adore golden calves.

I will take care that the building, which I have erected for futurity, shall be permanent.

Vienna, October, 1781.

In the following letter to Van Swieten, Joseph perhaps betrays a passion to be esteemed in his turn as an author.

My dear Friend,—I hardly know how some monarchs have fallen into the folly of acquiring literary distinction; and seek a sort of greatness in making verses, or drawing a sketch for a theatre, to be a *pendant* to the works of Palladio.

True, I perceive the obligation of kings to be not wholly unacquainted in the empire of science; but I deem it wholly unnecessary for a monarch to pass his time in writing madrigals.

The Margrave of Brandenburg took the lead in a royal sect, which is occupied in writing memoirs, poems, and essays on various subjects. The Empress of Russia followed the fashion, read Voltaire, and wrote poetry; Stanislaus Lesczinsky, and the King of Sweden, confined themselves to private letters.

The causes of all this are as strange, as the products of their minds. The King of Prussia began his academic employments at Rheinsberg, where his father exiled him, and where he could hardly maintain a state equal to that of a colonel in my armies. When he came to be king, he continued his learned occupations; at once a host of French champions gathered round him, and sung his victories in Silesia; that is, the conquest of a country, which had two regiments of infantry for its garrison, and which he overrun with 40,000 men. Afterwards the passion for making verses drove him to establish a friendship with Voltaire, which was, however, interrupted, renewed, broken off, renewed again and continued to the death of the watchmaker of Ferney.

The Empress of Russia undertook it from pride; she endeavored to shine in every department of fame; the rest was done by time and circumstances, friendship and passion, and a portion of vanity to boot.

Stanislaus was a good sort of a man; he saw visions like the Abbé de St. Pierre, and had it been possible, would from his Luneville have commanded peace to all the earth. His Majesty of Stockholm had other motives; Gustavus was treated in Paris with great attention, and after his return wrote such tender letters to Paris and to the court of Versailles, that they were compelled to pay him the compliment, that besides being a king he was a very amiable private man.

Such are my views on these matters. To me neither the great Grecians, nor Romans are unknown; I am conversant with the history of the German empire, and with that of my dominions in

a special manner; but my time has never allowed me to manufacture epigrams or hammer out Vaudevilles. I have read, to gain instruction; I have travelled, to enlarge my knowledge; and in giving assistance to men of letters, I do them a greater service than if I should employ them to aid me in turning out sonnets at a writing desk. Adieu.

Vienna, December, 1780.

Compare the instructions given by Napoleon to his brother, the King of Holland, with the following letter, addressed by Joseph to his youngest brother, on becoming Elector of Cologne.

You know your duties perfectly, my dear Prince! As a Mentor I have nothing to say; but as a friend, permit me to make you acquainted with your new dignity.

As elector, you are one of the first princes of the empire. *Forget that the Emperor is your brother, and that you are a Prince of my house; sacrifice yourself wholly to the country and to your people.*

The letter to the magistrates of Buda, is too boastful.

I thank the magistracy and the citizens for the intended honor of a statue, to be erected in one of their public squares. To facilitate the transaction of business, and the better to oversee the offices of the kingdom, I have concentrated them in Buda, and the city thus accidentally acquires some advantages; but for this such an honor is really not merited.

Yet when I shall have made the Hungarians recognise the true relations between king and subjects; when I shall have removed all spiritual and all civil abuses; when I shall have awakened activity and industry, made commerce flourishing, and provided the land from one end to the other with roads and navigable canals, as I hope to do; if then the nation will erect a monument to my honor, I may perhaps have deserved and will then gratefully accept it.

Vienna, June, 1784.

Two letters will illustrate his views of the rights of noblemen.

To the Chancellor of Hungary.

The privileges and liberties of a nobility or a nation, in all countries and republics of the world, consist not in the right of contributing nothing to the public burdens; on the contrary, they bear more than any other class, as in England and Holland; but those privileges consist solely in this, that they may impose

on themselves the burdens required by the state and the common advantage, and by their consent take the lead in the increase of the taxes. The liberty of persons is carefully to be distinguished from that of possessions; in respect of which the proprietors represent not the nobleman, but simply the cultivator or the grazier, and in cities the citizen and consumer, in the highway and on the passage, the traveller merely and the passenger; in which cases, for the sake of preserving the free competition that alone makes the system useful, they must be put on an equal footing, according to their possessions, with all other citizens and inhabitants.

Vienna, July, 1786.

To a Lady.

Madam,—I do not comprehend the obligations of a monarch, to give an office to one of his subjects because he is a nobleman. A man may be the son of a general, without the least talents for an officer; a cavalier of good family, without having any other merits than that by the sport of fortune he has become a nobleman.

I pity you, madam, that your son is fit neither for an officer, nor for a statesman, nor for a priest;—in short, that he is nothing but a nobleman, and that with his whole soul.

I hope you are impartial enough to see the reasons that have compelled me to a decision, which will perhaps be disagreeable to you, but which I have considered necessary. Adieu, madam.

August 4, 1787.

We close our extracts with two of the letters in which the Emperor gives his own character, and enters upon the defence of his administration.

To a Lady.

Madam,—You know my character; you know that I choose the society of ladies only for recreation after business; and that I have never sacrificed my principles to the fair sex. I listen to their recommendations but seldom, and then only when the object of them is a worthy man, who at any rate would not have long remained unknown to me.

Two of your sons are already established; the elder, not yet twenty years old, is a captain of cavalry in my army; and the younger receives of the Elector, my brother, a canonicate in Cologne. What will you have more? Ought not the first already to be a general, and the second to have a bishoprick?

It is a duty to be upright at court, severe in the field, stoical without harshness, and magnanimous without weakness, and by

just actions to win even the esteem of enemies; such are my sentiments, madam.

Vienna, 1787.

To one of his Friends.

My Friend,—Because there have been Neros and a Dionysius, who went beyond the proper limits of their power; because there have been tyrants who have abused the force, which destiny put into their hands, is it therefore reasonable, under the pretext of anxiety to preserve the rights of a nation for the future, that a prince should have all possible obstacles thrown in the way of measures, which have no other object, than the welfare and advantage of his subjects?

Since the commencement of my reign, I have at all times endeavored to conquer the prejudices against my rank; have taken pains to win the confidence of the nations under my sway; and since I ascended the throne, I have often given proofs, that the welfare of my subjects is my passion; that to satisfy it I shun no labors, no pains, and I may add, no torments, and that I carefully consider the means, which may bring me nearer to the designs which I have proposed; and nevertheless in my reforms I every where meet with opposition from those, of whom I had least expected it.

As a monarch, I do not deserve the distrust of my subjects; as ruler of a vast realm, I must have the whole extent of my dominions before my eyes; this I embrace at a glance, and cannot always have regard to the separate voices of single provinces, which consider only their own narrow circle.

My private good is only a chimera, and while on the one side I abandon it as a sacrifice to my country, I can in return participate in the general welfare! But how many are aware of this!

If I were unacquainted with the duties of my station, if I were not morally convinced, that I am destined by Providence to bear my diadem with all the weight of obligations, which are imposed upon me with it, disgust and discontent with my lot, and the desire not to exist, would be the sensations, which would force themselves on my mind. But I know my heart; I am inwardly convinced of the honesty of my intentions, and hope that when I shall be no more, posterity will more reasonably, justly, and impartially investigate, prove, and pass sentence on what I have done for my people.

Vienna, October, 1787.

Having by these copious citations, put the reader in possession of Joseph's own views, we have a little to add on the character of his administration. It was his greatest fault, that he

would himself govern; that he considered his own will the main-spring of the administration, and desired to find in others only willing instruments to execute his commands.

The talent of Joseph for the internal administration of his states resulted from his wakeful curiosity, his extensive acquisitions, his untiring activity, and his earnest zeal for the prompt execution of his schemes. Nor can it be denied, that he was just, except when justice would have required the abandonment of a favorite plan; and that he sincerely wished to develope to the utmost the resources of his hereditary states.

He came to the throne, determined to have but one uniform system throughout his wide dominions. He forgot, that a weak mind is apt to demand such a uniformity, while a strong understanding knows where and when to allow the existence of differences. In the attempt to reduce all things to one standard, to equalize all burdens, to establish but one mode of transacting business in states, as various in language and customs as in hereditary privileges, Joseph was engaged in a contest with the prejudices of centuries and the rooted habits of his time. Irremediable difficulties presented themselves to impede his scheme. The monarch grew impatient and wavered. Throngs of remonstrants crowded round his person; all were freely admitted; complaints increased and were listened to; and modifications of his early measures ensued. These modifications could but increase the evil; and render the uncertainty greater than before. The confusion grew worse. This excited the irascible prince to insist on the execution of his decrees by force. But violence could not reach the difficulty, which lay in the habits and character of his subjects; while it still further alienated the affections of those, whose condition he wished to improve. Then the Emperor receded. Upon this the factious triumphed, and grew more factious than before; at last all respect for authority was gone, revolt ensued, the Emperor fairly knew not what to do, and the best disposed of his people were left in a strange uncertainty between the ancient usage and the reform. Such is philanthropy without firmness. So much do the sterner virtues of fortitude and justice surpass the milder merits of benevolence and mercy.

The causes of the little success, that attended the reforms of Joseph, are to be looked for partly in himself, and partly in the nations which he ruled. *They* were unripe for the rapid course of change; *he* was unskilful in his manner of urging im-

provement on those whom he desired to influence; and, generally, was deficient in tact, in his intercourse with others. The officers of government, who were necessarily made his agents, in part did not comprehend his system; many doubted if he had a feasible system; some were, from their interest or prejudices, secretly, but vigorously opposed to it; and thus it came to pass, that even to the Emperor himself, his innovating measures, which were to break down the bulwarks of fanaticism, and establish the empire of philosophy, remained in a great measure but a mass of waste paper, filed away in the bureaus of state. Frederic II. was irresistible in the steady firmness, with which he moved towards the execution of his boldest measures in the internal administration; and would have been inexorably severe against any, who might have attempted to thwart his purpose. But Joseph, precipitate in issuing his edicts, knew not how to overcome opposition; and contented himself with addressing to all the officers of state a sort of imperial homily, a mixture of eloquence, commonplace sentiments, sound philosophy, and dictatorial haughtiness. It probably produced no more effect, than the invectives of an irritable man, uttered in a moment of excitement. After all, there is no such thing in nature as *absolute*, though there may be *irresponsible*, power.

The Emperor's passion for reform was so strong, that he went far beyond the most extraordinary performances in excessive legislation of any of our state legislatures. A set of resolutions, aiming at a change in the fundamental laws of the country, would require of Congress a six weeks' discussion; Joseph, within the course of three years, issued at least two hundred and seventy six laws of a general nature, and obligatory on all his dominions; while the number of special edicts for the immediate territory of Austria was too great to be readily counted.

The contrast between the state of intelligence prevailing in Austria, and the culture in the neighboring Protestant countries was apparent even to Maria Theresa. 'How comes it,' said she one day to a Protestant (Von Moser) in her employ, 'how comes it that clear heads are more common among you Protestants?' 'It is' replied he, 'because we put more windows in the house.' Maria Theresa was a devotee, though a woman of benevolent feelings; but Joseph proceeded with great, yet too hasty philanthropy to give liberty to thought, and repeal the heavy penalties which prevailed against dissent.

To the citizens of the United States, in which there is no

established sect, the idea of toleration is unacceptable, because it implies subordination, and is a mark of inferiority and weakness. To those, who are not Catholics, and yet live in a Catholic country, the word seems fraught with the richest blessings of religious liberty. An edict, proclaiming unlimited toleration, was among the first measures adopted by Joseph, in a spirit of unprejudiced justice. He also viewed it as a wise political act, which might transfer to his dominions the industry of Protestant countries, and cause intelligence to spring from the unrestrained conflict of opinions.

But the praise, which is awarded to Joseph, requires limitation. The Emperor, like most of his contemporaries in Europe, did not exactly know how much toleration included. His edict allowed the free confession of opinions without any civil inability, consequent on dissent; and the unrestrained exercise of public worship, wherever a dissenting parish could provide the necessary funds. Now the former severity of the government had induced many to conceal their sentiments; and the number of Anti-catholics, claiming the benefit of the edict, was great beyond all expectation. The Catholic clergy interfered, and attributed the numerous secessions from their parishes to a wavering love of novelty and change. So the tolerant Joseph enacted, that there should be a limit of time, within which all who had been esteemed Catholics, but who wished to pass for such no longer, might report themselves; after the expiration of the time thus fixed, every one, who had apparently been a Catholic, and had not signified any wish to the contrary, should ever after and at all hazards remain of the Roman church. Those who reported themselves, however, were to be instructed in the Catholic faith, and converted, if possible; if they remained firm, they might have permission to join another sect. Power being on the side of the clergy, the instruction, which was given, consisted often in threats, abuse, and personal violence. It was now right for the Protestants to complain. Joseph listened and issued new orders. The minds of the people were unsettled, and neither party had a distinct understanding of its condition.

The Catholic clergy complained, that their revenues were impaired. The Emperor ordered, that taxes should be paid by the Dissenters to the Catholic priesthood, as before. The Protestants were thus left too poor to provide themselves with suitable teachers, and a multiplicity of sects seemed about to

ensue. Joseph began with absolute toleration; but now he became provoked, that plebeian ignorance should venture to think for itself, and henceforward was willing to tolerate none but Lutherans and Calvinists.

There existed a singular sect, of which the members were called Deists, or Abrahamites. They were the relics of the early reforms in Bohemia. When the spirit of persecution raged against all who were suspected of heresy, the civil authority had taken from them their bibles and Protestant books of devotion, and they were thus left to profess Christianity, independently of any written documents. Hence their name, since, like Abraham, they had no Scriptures. Such an attachment to the opinions of their fathers, secretly passing from one generation to another, among an unenlightened peasantry, unsupported by books, visible union, or external forms, seems to us a most remarkable phenomenon in the history of the human mind. These poor men now came forward and claimed to be tolerated. Their case merited from our enlightened and philanthropic Emperor the benefit of a special edict. 'Whoever reports himself as a Deist, shall, without inquiry, at once receive twenty-four blows *ad posteriora*,' (we quote the words of the law) 'and the punishment shall be repeated as often as he so reports himself, not because he is a Deist, but because he says he is that, of which he does not know the meaning.' Such is toleration. Under the most severe penalties, these Abrahamites were ordered to rank themselves with one of the three great sects. Otherwise their children were taken from them, and they themselves, without respect to age, or sex, separated from each other, exiled from their ancient homes, subjected to the worst public services, or banished to Transylvania and the Bannat, where, from the proximity of Turkey, a sort of Babel of religions was licensed.

In giving civil liberties to the Jews,* Joseph encountered fewer difficulties. He began with a general rule, which took from them the heavy restrictions, under which they had been permitted to exist. In doing justice to them, the Emperor made their condition in his dominions more favorable than it

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* 'Den Priester rufst du wieder zur Jüngerschaft
Des grossen Stifters; machest zum Unterthan
Den jochbeladen Landman; machst den
Juden zum Menschen,'
says Klopstock, in an Ode, of which this first verse is the best.

was elsewhere. His subjects complained, that the imperial justice operated as a bounty to attract Jews from all quarters. He, therefore, made some modifications in his first act, which, however, still left the condition of that nation far better than it had been before. The example of justice was soon imitated by neighboring states.

The most difficult task, which Joseph undertook in regulating the religious concerns of his states, was the reform of abuses in the established hierarchy. He was determined to set bounds to the influence of the Pope, and allow him no voice, except in cases of doctrine.

A beginning was made with the monastic orders. The members of them were commanded to discontinue their dependence on the superior of their orders, and to submit themselves to the bishop of their diocese in matters of religion, but in other concerns to the regular civil authorities. The monks replied, that the monastic vow was binding upon them, and that its obligation could not be dispensed with; of course the superior must still be obeyed. To end the discussion, Joseph abolished all monasteries and nunneries, of which the members led the idle, contemplative life. At that time the Austrian monarchy contained two thousand and sixty-nine cloisters, and sixty-three thousand persons, attached to them. The cloisters* were all broken up, and the nuns and monks turned on the world, except such as were engaged in some directly useful employment. He also forbade religious processions, attempted to restrain superstition, and prohibited the mummeries, usual in the church festivals.

In all these measures, Joseph proceeded without any reference to the wishes of the Pope; and such danger seemed to threaten the interests of the church, that the Sovereign Pontiff, having full confidence in the power of his eloquence, determined to appear personally at Vienna, and to check the progress of change by an attempt at direct interference. It is not consistent with our limits to explain how unavailing the journey proved to be; Kaunitz was far too wary, and Joseph far too vain, to be circumvented by the remonstrances, the eloquence, or the entreaties of the illustrious guest. Pius VI. was called by the women the handsome Pope; his fine voice and

* Brissot, in his letter to his constituents, is bitterly unjust to Joseph, and insists on inventing for him unworthy motives.

stately person made him peculiarly suited for display on the great days of ceremony; his dress was always arranged with scrupulous neatness, and a careful rehearsal preceded his appearance in any of his most important functions. Such a pope might charm the fashionables of Vienna; throngs of devout admirers crowded to secure the benefit of a blessing, so gracefully distributed, and, for the accommodation of the pious, his slipper was daily left in the antichamber to receive the kisses of the orthodox. But the impenetrable secrecy, and the phlegmatic vanity of Kaunitz left no opportunity for opening a successful negotiation; and Joseph was only gratified in his self-love, that now for the first time for more than a thousand years, for the first time since the days of Charlemagne, the head of the church had repaired, and almost as a suppliant, to the Imperial Court. So little influence was exercised, that the very day, when Pius on his return had been accompanied by the Emperor as far as the convent of Mariabrun, and had there received the most tender demonstrations of regard at the farewell, which was taken in the presence of the people, was selected to announce to the monks the abolition of that cloister.

In addition to the bitterness of having displayed his inability to resist the encroachment of the Emperor, the Roman Pontiff had now to regret the sacrifice of the dignity of his office. The disputes continued, and at last a communication from Rome gave so much offence to Joseph, that he returned it without any written answer, but with the verbal message, that he presumed the document had been forged by some ill-disposed person, and had received the papal signature without having been read. The Emperor was now ready for a formal rupture with the Roman See, and for proclaiming the entire independence of his states in religious concerns. He was prevented from doing so by no respect for the church, but by a consideration of the difficulties, which would have attended such a measure, and which would have diverted him from other favorite schemes.

In his intercourse with foreign nations, Joseph is not always entitled to the praise of good intentions. It was he, rather than his mother, who was a partner in the plan for dividing Poland; and in his intercourse with Holland, Bavaria, and the Porte, he manifested a restless passion for aggrandizement, which, by its very intensity, defeated itself, leading him to pounce

continually on the weakest of his neighbors, and drawing him off as often by the prospect of some more alluring game. In none of his negotiations with foreign powers does he appear in a less favorable light, than in the contest with Holland. Ancient treaties refused to his Belgian provinces the privileges of foreign commerce. Joseph asserted for his subjects their natural rights, in virtue of the intrinsic justice of the demand, and because the ancient treaties had lost their force by the effect of subsequent transactions. If there was justice in the demand, there was no palliation for renouncing the privilege anew in consideration of a gratuity in money. As a financial speculation, it was ignoble. It was making the weak pay for being left in peace.

The war against Turkey was unwise, and, we must add, unjust; and for it Joseph had to atone by the loss of all military reputation, and of his health, which gave way under a consumption, engendered by the fatigues and exposures of his first campaign. 'To be a soldier,' he said in his farewell to the army, 'was always his most decided propensity.' Since he attained no eminence in war, he passed a severe sentence on himself, in avowing his predilection.

The early education of Joseph was unequal. The history of the states, which he was to govern, was taught him in a manner the least suited to benefit him; and his mother would have held herself deficient in her duty, had she not provided carefully for his instruction in religion, according to the notions of a bigotted priesthood. But he also acquired, besides the German, which he wrote uncommonly well, the French, the Italian, and the Hungarian languages; and by means of the Bohemian he was somewhat familiar with those of the northeast of Europe. He seems also to have possessed a lively curiosity, which was subsequently strengthened by travelling, and by frequent intercourse with intelligent men. It is said, to the honor of his nationality, that he insisted on the use of German at his court, though his mother had used, and the Austrian nobility still preferred, the French.

In domestic life he was unhappy. His first wife, whom he tenderly loved, died in about three years after marriage, on the birth of her second child. His second wife he never loved, and she did not live to bear his indifference long. The only surviving daughter of his first wife died when about eight years old, and Joseph had now nothing but his country, on which to

concentrate his affections. He had consented against his will, to his second marriage, from reasons of state; but being again left a widower, he faithfully cherished the recollections of his youthful happiness, and for more than twenty years he was not for a single day under the control of woman. Neither had he any political favorites. He was fond of his brothers and sisters, and took a lively interest in their domestic concerns; but he was far above all *nepotism*.

In his personal expenses he was sparing, that his finances might the better bear the cost of public improvements. His economy was one cause of the hostility of many, who had expected abundance from his munificence. His dress and personal manners were remarkable for their simplicity.

His pleasures were the theatre, travelling, and music. In the latter he could have been no connoisseur. A story is told in the life of Mozart, that the Emperor, after hearing one of that great master's very difficult works, said goodnaturedly to him, 'Very fine, very fine; but you have put into your composition terribly many notes.' 'Just exactly enough, your Majesty,' said the offended musician, 'and not a single note too many.'

As a man of business, he was of untiring diligence. Few private men could be compared with him. It was the rule of Kaunitz, that most extraordinary compound of greatness and folly, never to do any thing himself, which he could possibly get done by others. Joseph's system was the reverse. He was for doing every thing himself. He slept on straw till his last illness; and rose at five in summer, and before six in winter. His day was all labor; he gave himself no respite; he retired to rest just before midnight; he was always temperate, and at all times ready to give his mind to public concerns.

Sensitive as he was, he could forgive opposition. He was accustomed to read the bitter strictures of the discontented on his administration; and he really seems always to have believed himself to be doing what was right, at least what was most for the general advantage.

Joseph's reign continued hardly ten years; he had occasion to learn many a severe and painful lesson; perhaps had his life been spared, in the great school of experience he might have acquired moderation, and through trials and misfortunes have made his way to tranquillity. He died at a moment the most unfortunate for his fame. Yet the Prince, who in nine

years abolished vassalage, reformed the penal code, improved the whole system of national instruction, established the means of popular education, provided by a tariff* for the protection of the Austrian system, colonized desert parts of his territories, introduced the liberty of the press, proclaimed toleration in matters of religion, turned Jews into men and citizens, abolished all useless monasteries, and founded hospitals and many endowments for the unfortunate ; such a prince can bear to have his faults exhibited, and yet preserve a claim to esteem.

If Joseph was philanthropic, he was in no less degree unfortunate. His subjects were so much accustomed to hear the clanking of their chains, that they distrusted every effort for their relief. Unhappy as a husband, unhappy as a father, unhappy as a ruler, his last hours acquire a sublime, tragic interest. Like the Hamlet of the poet, destiny seemed to have called upon him for the accomplishment of purposes beyond his strength, and he was too weak to gain the victory in a contest, which he had too much moral courage to shun.

There are many anecdotes related of Joseph, which represent him in a very amiable light. At Paris, in the midst of the most splendid regal entertainments, he would be found apart in a remote room, quietly conversing with some man of decided merit. Being asked if the routine of dissipation did not exhaust him, he replied, 'I do not burn my candle at both ends ; it is that which will save me.' In the kingdom of Wirtemberg, there is a particularly pleasant road, made by the side of the great highway from Stuttgardt to a neighboring palace of the royal family ; a large sign, like one of the boards by our bridges, indicating the rates of toll, declares that no plebeian wheels may roll upon it, and that the owner of a carriage must be of at least princely rank, or he cannot be allowed to raise a dust on the patrician pavement. In the same spirit the nobility of Vienna prayed, that the fine public walks in the suburbs of that city, might be closed, except to those of their rank. 'If,' answered Joseph, 'I would walk among none but my equals in birth and rank, I should have to stay with my ancestors in the vaults of the church of the Capuchins. I prefer men of virtue and talent to those who can only count princes among their progenitors.' 'His dress,' it was said of him in the early campaign against Frederic, 'is the dress of a soldier, his wardrobe

* His tariff was an injudicious one.

that of a lieutenant, his recreation labor, his life constant motion.' He was of undoubted bravery, and never shunned personal danger. 'How can I complain of dangers, when I see my Emperor's crown as much exposed as my cap?' said a grenadier, in a commendable antithesis for one of his rank.

There is a story related by Coxe, in which the Emperor, who often went about *incognito*, plays the part of another James Fitz-James, according to the lively picture of the Scottish bard. The daughter of an officer's widow made him the confidant of the unjust neglect, which their sufferings had to sustain from the Emperor. He promises, if she will go to the palace, to be her intercessor. The poor girl gratefully accepts his offer, and is overwhelmed with awe, when she finds that she has been abusing the Emperor to his own face. The generous monarch forgives and relieves. As a further proof of a liberal spirit, it is related, that Joseph, having inherited from his father, as a private patrimony, twenty-two millions of guilders in Austrian paper-money, consigned the whole to the flames. When in the Turkish war he had covered himself with shame and defeat, he sent Laudon to take his place. 'Go, dear Laudon,' said he, 'set my blunders to rights; I give you full powers.' We at least like the honesty of his answer on being asked his opinion of the revolution of our fathers. 'I am a royalist by trade.'

Frederic II. of Prussia, happening one day to see that a libel upon him, which some discontented person had affixed to the wall, was placed too high to be conveniently read, took it down himself and placed it lower. In this he showed good humor and good sense. We are not sure, that Joseph's imitation of this little matter, was a mark of taste or ability. He had assigned a Roman Catholic church as a place of worship to the Lutherans and Calvinists. A writing was one morning found on the door, full of bitter invective against the Emperor; he ordered the paper to be printed and sold for the benefit of the Protestant service. This indicated petulance and irritability, rather than greatness of mind.

The liberal principles of Joseph seem in direct contrast with his high birth, and his bigotted education. But the anomaly is explained by the influence of the example of Frederic. The glory of the veteran monarch naturally attracted the admiration of the aspiring Joseph, who was led to contemplate with wonder the military kingdom, which, with a moderate territory

and population, yet held the balance of power in Europe. The younger monarch determined to imitate, but he failed to bear in mind the difference between his own dominions and those of Frederic. In Prussia there existed no powerful nobility to watch the motions of the monarch; no ancient families, whose influence and grandeur were hereditary; no venerated and opulent hierarchy, having alike the sanction of time, of superstition, and of cherished religious faith; no jealously defended constitutions, securing to the several provinces of the monarchy their respective privileges, and endeared by the recollections of patriotism. The kingdom of Prussia admitted of unity in the administration, and contained within itself no obstacles to the system of military despotism. But Joseph found his hereditary dominions forming a kind of federative state, and he wished to give them an absolute unity, corresponding to his theory of an equal administration. He came to rule over nations, that spoke various tongues, and he thought by an imperial decree, to change the language of common life and of the law; he undertook to denationalize the strongest portion of his realms, and to take from the millions of Hungary, the tongue, which was associated in their minds with the best days of their early history, and with their proudest recollections. He saw that the usurpations of the church had by degrees acquired within his territory an authority, which claimed to be independent of the laws of the land; and he hoped by a series of edicts, unsupported by popular opinion, to overturn an established state of things, identified with all that his subjects venerated and feared. He forgot his relative position, and the reciprocal influence of circumstances, popular caprices, an obstinate regard for what was endeared by antiquity, and the vague but powerful influence of a superstitious faith. The more devotedly he sacrificed himself for his subjects, the more earnestly he gave up pleasure, tranquillity, and health, to the furtherance of his objects, the more critical did his own situation become. He was engaged in a struggle with the times; and his destiny found in them too powerful an antagonist. The more impetuously and warmly he rushed to the contest, the more unguardedly did he lay himself open to successful attacks. His imprudent exertions made opposition almost universal. His mother, a few weeks before his birth, at a time when her states were overrun by the French and Prussian armies, had said in her anguish, that in her wide inheritance she knew not the city, where she

could await her delivery in security. When Joseph came to die, he could have said, that he knew not the town in his realms, where his last moments would not be embittered by the din of clamorous remonstrance. The famous Oxenstiern of Sweden used to say, 'that he never took a care with him to his night's rest,' so exact was he in business, so serene in temper. Joseph never knew the enjoyment of rest in this world; and when he came to prepare for his last sleep, which nature renders deep, anxieties crowded round him to the last; so that a few hours before his death, he could beg for no more than this epitaph on his tomb, 'Here rests a Prince, whose designs were pure, but who had the misfortune to see all his enterprises shipwrecked.'

We may add, that the present Emperor of Austria was the favorite nephew and *elève* of Joseph.

ART. II.—*American Literature.* An Article in the 99th Number of the Edinburgh Review.

It is always more or less provoking to be made the subject of abuse and sarcasm with or without just cause; and it is painful enough to see the character of the relations between two great countries vitiated by the paltry prejudices of a few obscure scribblers; but it is nevertheless curious, as a matter of philosophical study, and at times sufficiently amusing to mark the influence of national pride and jealousy on the tone of the British periodical writers in regard to the United States. We have already on several preceding occasions, adverted to this subject, and we rarely open a review, magazine, or newspaper from the mother country, without observing some new effect of the same cause. As regularly as their successive numbers issue from the press, each and all of them continue to carry on this—as they probably conceive—very pious warfare, according to their various measures of ability and habitual modes of handling the topics that come before them. The Quarterly reviles us, the Edinburgh sneers at us, Blackwood bullies us,*

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*The writer of a late article in Blackwood's Magazine, entitled 'Wellington at Cadiz,' containing an account of an entertainment given to his hero upon a visit to that city, goes out of his way to introduce the following episode, which we extract as a specimen of the tone of

the magazines show us up under no very brilliant colors in imaginary travels and journals from Kentucky;—even the poor bookseller's drudge, who gets up that humblest of all periodicals, the *Literary Gazette*, can afford to be merry at the ex-

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that journal in regard to the United States. We hardly know whether to admire most the elegance and correctness of the language, or the liberality of the sentiments.

'The British Consul was honored with fifty cards, to be filled up with the names of such of the respectable merchants and their families as he should select. The Portuguese, Sicilian, and other foreign consuls, were complimented with tickets for their families; but in this liberal distribution of favors, by some oversight, the Consul for the United States was unluckily forgotten. The Republican Eagle was all in a flutter, at the unintentional indignity. On a representation to the committee by the Consul, an apology was made for the omission, and cards of invitation, in blank, to the number of twenty, were immediately placed in his hands as the '*amende honorable*'—but Jonathan made it quite a 'national' affair; insisting on an equal number of cards *as* were bestowed on the Consul of Great Britain. We were just then on the eve of a war with the *States* of stripes and stars, (and slavery.) Some private discussions took place, during which it is believed the wishes of the hero of the fête were consulted, and which ended, for the sake of harmony, in complying with the American Consul's *requisition*, (rather than *request*,) and fifty cards were *officially*, or at least more *ceremoniously* than *cordially* presented. *This concession* (*which was, I believe, the subject of a report to the States,*) *had the effect of introducing a mob of sleek-headed gentlemen from the Western world,* (*chiefly captains and supercargoes from Philadelphia and New York,*) *in long skirted coats, and nankeen breeches—all redolent of tar and tobacco—among the embroidered crowd! But even their Republican vanity must have quailed under the mortifying sneers of the noble Señoras, who appeared to loath the touch of their tanned and ungloved paws.*'

The article is written throughout with a great outpouring of the heart, and seems to be a sort of sentimental prose poem, the author of which introduces himself as a witness of the scenes he describes. Should he be disposed to indite another work of this description in honor of the conqueror of Waterloo, we would venture to suggest to him, that as the nearest connexions of his hero have condescended to select their wives from the families of some of us *sleek-headed gentlemen of the West*, it is hardly agreeable to the rules of the art to make us the villains of the plot. It would also not be amiss, should the scene be laid in Spain, to consult the court calendar, so far as to ascertain the title of the Duchess of Benavente; and we would further express our doubts, whether the kind of triumph, which the hero is represented as achieving over the Duke of Frias and the Prince of Anglona, be well suited to form the catastrophe of a sentimental poem to appear in a loyal and religious magazine. A *denouement* of this kind, if resorted to at all, can only be employed with safety in works of a comic order; and even in those, the example of Pope's *Afra* has not been considered by the best modern writers as furnishing a standard for general imitation.

pense of Jonathan.* In short we are daily, weekly, monthly, and quarterly, from one year's end to the other, accused before these self-created courts of sundry high crimes and misdemeanors, and to all these indictments we are regularly expected to plead guilty, at least by a silent acquiescence in the charges made upon us. If in reply to this continual attack, an American writer happen to venture upon a few words in the way of recrimination, or even simple self-defence, we are forthwith proclaimed by the same general chorus of voices to be the most susceptible and *thin-skinned* of all the dwellers upon earth. It is perhaps but justice to add, that the *Radicals*, who, like us, though for different reasons, are constantly run upon by almost every other sect and party in the kingdom, appear to have a sort of fellow-feeling with us, and that we are occasionally patronized in the *Westminster Review*, the *Black Dwarf*, and *Cobbett's Register*.

Such is, and has been for many years past, the habitual tone of the British critics in regard to this country. In the mean time the real head and front of our offending—as is perfectly well understood on all sides—is nothing more than this, that we happen by the act of God, and the valor and virtue of our fathers, without any merit or fault of our own, to be placed in such a situation, political, geographical, and statistical, that we are more likely than any other power to rival or surpass Great Britain, first, in those commercial and maritime pursuits, which have hitherto constituted the chief elements of her greatness, and at a more remote period in population, wealth and national importance. Now we put it to the conscience of any reflecting statesman in the mother country, or even any honest and fair-minded man among the more irritable race of authors, to decide—and we are willing to abide by the sentence—whether this be a just ground for so much abuse. It is, no doubt, natural enough, that a comparative view of the respective positions of the two countries should excite a good deal of jealousy

*This journal, as is well known, is a mere puffing machine in the hands of the booksellers, conducted, we believe, by a worthless creature named *Jerdan*. It has lately signalized itself by an attack upon Washington, whom the wildest of our foreign traducers had hitherto respected, but on whom this miserable tool undertakes to fasten the foul and odious charge of irreligion. We take for granted that this proceeding will have its proper effect upon the circulation of the work in the United States.

in British minds; but we appeal to the sober sense and considerate judgment of our transatlantic brethren to say, whether it be right and proper to indulge this sentiment, and exhibit it so plainly as they do in their language and actions. Is the petulant and peevish spirit, which they regularly show in regard to this subject, such a one as we should naturally expect from a great and gallant nation, that still maintains, though in the wane of her fortunes, a lofty standing among the leading powers of the world? Is it not more like the petty spite of a faded beauty, who would gladly, if she dared, tear out the eyes of a younger rival, because she feels that their lustre eclipses that of her own? Or, omitting any question of justice and propriety, is it not the dictate of policy and correct taste to suppress these base emotions, and to render a manly and honorable tribute to merit of every description wherever we meet with it? Is not this, after all, the best and surest method of fully securing our own deserts, whatever they may be? Is it possible to give a more significant proof of conscious weakness, than by constantly carping at, and exaggerating petty blemishes in the characters of others; putting the worst construction upon doubtful passages; and passing over in silence, or 'damning with faint praise' the good qualities and actions that cannot be disputed? When we see an individual in private life pursuing this course, do we not pronounce him at once and without hesitation to be a sour, sorry, poor-spirited creature, and generally conclude that he is a disappointed and broken-down man? The same principles apply to the intercourse of nations; and if individuals, so insignificant as ourselves, might venture to suggest any thing in the nature of advice to our brethren on the other side of the water, we would, in all humility, respectfully give it as our opinion, that they would better consult their own interest and comfort, as well as ours, by putting a good face upon this matter, and accustoming themselves to look with complacency and satisfaction, instead of a mean and paltry jealousy, upon the rising greatness and exuberant prosperity of our young and flourishing republic.

The abuse, which they lavish upon us, although it may give us at times some passing annoyance, really does us very little injury, while the indulgence of the feelings, in which it has its origin, must be to them, unless the best ethical philosophers are at fault, a perpetual source of internal uneasiness and disquiet. On the other hand, if they could persuade themselves to take a different view of the subject, they might derive a

satisfaction of the highest and most liberal kind from the very circumstances, which now change the milk of human kindness, that should naturally flow in their bosoms for a kindred people, into wormwood and gall. Is there nothing, in fact, to approve, to admire, to rejoice at, to sympathise with in the mighty developement of wealth and population—the creation, as it were, of a new human race—which is now going on upon our vast territory? And is it no just ground of pride and pleasure to an Englishman that all these wonders are the work of English hands, and were performed under the influence of English habits, feelings, and principles? Can the friend of learning in England find no joy in reflecting that the language he loves and cultivates—the language, which conveyed to his infant ear the soft accents of maternal affection—to his young heart the tender avowals of passionate love—to his manly mind the sublime strains of parliamentary and pulpit eloquence, will be spoken in a future age by hundreds of millions, inhabiting a distant foreign land, and will enliven with its rich and noble music the now solitary regions of another quarter of the globe? Is it nothing, for example, to the enthusiastic admirer of Shakspeare—and every Englishman is or ought to be one—that the madness of Lear will hereafter rend the concave of a thousand theatres from Maine to California; the sorrows of Juliet draw forth floods of sympathy from bright eyes in the valleys of the Rocky Mountains, or on the banks of the river Columbia; and the mournful melody of the harp of Ariel move upon the bosom of the smooth Pacific 'in notes by distance made more sweet' than they ever could have been, even in the fancy of the poet, upon the shores of the 'still vexed Bermoothes?' Here, too, Liberty has found a home and a throne, and Liberty is or was the god of the idolatry of every true-born Englishman. Is it nothing to the countryman of Hampden, Sidney, and Russell, that the principles of 'the glorious constitution,' for which they gave up their 'golden years' to exile and prison, or their lives upon the block, are to flourish hereafter in all their beauty, purified and perfected, according to the illustrious Fox, by the experience of a thousand years, in four and twenty—in the sequel we know not how many more—independent states? Is it nothing to the friend of good government, social order, law, and humanity, that the problem of perpetual peace has at length been solved, and that these four and twenty states have bound themselves

together by a mysterious but indissoluble tie of union, which preserves to them at once the beneficial activity of independent sovereignties and the untroubled harmony of a single community? Is it nothing to a Scotchman—a friend of Erskine—that the *Trial by Jury* is to spread its banner of protection over the head of the unfortunate, and perhaps innocent prisoner—that the potent sound of *Habeas Corpus*, like the *sesame* of the Arabian fable, is to burst the doors, which arbitrary power shall have closed—if such a case should ever happen here—in regions which might, and probably would, if they had not been settled by Englishmen, have been subjected to a ruthless Spanish despotism? Finally, is it a matter of indifference to the Christian—this is not, we are aware, an *argumentum ad hominem*, when addressed to the writers in the Edinburgh Review—but is it, after all, a matter of indifference to the friend of pure and undefiled religion under any of its forms, that the beautiful feet of those that bring good tidings, that publish peace, that say unto Zion, Thy God reigneth, are already traversing in every direction the sandy shores of the Atlantic, the blue summits of the Alleghanies, and the green savannahs of the West, that they are climbing the precipices of the Rocky Ridge, and will soon reach the distant borders of the South Sea? Is all this world of wonders, this magnificent display of the full bloom and glory of civilization, bursting forth, as it were instantaneously, from the depth of barbarism, like a Lapland spring out of the icy bosom of winter, to be held as nothing, and worse than nothing, not because it is not the work of Englishmen—for that in the main it is—but because it is not performed by the Englishmen, who inhabit a little island on the eastern side of the Atlantic? Is it not a burning shame, a crying sin, that under the influence of this paltry motive, the greatest achievements and characters are to be habitually depreciated, the purest and most amiable sentiments mocked and jeered at, and this too by men of high pretensions for talent, education, and philosophy? We know not what others may say in answer to these questions, or what doctrines and sentiments may be fashionable in the mother country, where a selfish system seems in fact to be the order of the day: but for ourselves, we must avow without hesitation, that we consider the tone of criticism, to which we have here alluded, as very strongly marked by bad principle, bad feeling, bad taste, and bad policy. We believe that our transatlantic

brethren, who adopt it, are great losers by it, on the score, not only of honor and conscience, but of national advantage, as well as mere personal comfort and pleasure. We really think that an Englishman of right feeling and good understanding, instead of exhibiting a miserable jealousy of the progress of this great offset from the parent stock, ought to take as much pride in it as in any of the more direct developements of the resources of his country. We conceive that the victory over our western wilderness, which has been won by English hands and English hearts, ought to fill his mind with as high a satisfaction as the blockade of the whole coast of the European continent by the British navy: and that he ought to view the marvellous increase of population that is going on among us, the hitherto unexampled multiplication of human life and human happiness, which is taking place, for instance, in the State of Ohio, with even more delight than the glorious waste of blood and treasure at Trafalgar or Waterloo.

Of the various attacks that have been from time to time directed against this country in the British journals, few, if any, have been more offensive to the public feeling than the article upon American Literature, which appeared in the ninety-ninth number of the Edinburgh Review. The works of the Rev. Dr. Channing, form the immediate subject of it, and its principal aim appears to be to depreciate the talent and destroy the reputation of this justly eminent divine. Several other writers of great merit are also shewn up under a ludicrous point of view, and an attempt is made to cast a general slur upon the intellectual character of the country. The spirit in which the article is executed corresponds very well with the nature of its purpose, and is distinguished by a more than usual portion of the malignant and cold hearted flippancy, which has always been one of the leading traits in the style of this, in many respects, valuable journal. We are not of opinion, that it is necessary to the honor of the country, or the reputation of the individuals particularly interested, to repel every attack of this description. The best and only sufficient reply to foreign calumny, is annually and hourly given in the constantly progressive greatness and glory of the United States. There are, however, some cases that seem to form an exception to this remark, and we have been given to understand that a notice of the article alluded to, would be acceptable to many of our readers. We could have wished, that the task had

fallen into more competent hands, but shall cheerfully execute it to the best of our ability, and shall endeavor, if our limits should permit, to point out the errors in one or two other articles of a similar kind, that have lately appeared in other British journals.

The reviewer commences by remarking, that the only American writers who have hitherto been heard of in England, are Irving, Brown, and Cooper, to whose names must now be added, that of Dr. Channing. On farther tasking his memory, it occurs to him that there lived half a century ago such a man as Dr. Franklin, who, as the Quarterly had previously informed us, possessed some skill in grinding his electrical machine; that Jonathan Edwards wrote some rather remarkable treatises on metaphysics, and finally, that there appeared in the United States, just before the revolutionary war, an anonymous work, entitled 'A Farmer's Letters,' which gives a tolerably correct description of certain local scenes and incidents. The works of these writers compose, according to the reviewer, the whole body of American literature.

Now we have no hesitation in pronouncing this to be a very poor and silly piece of affectation. It is much as if an American, in giving a summary account of British literature, should say, that we had heard in this country of no modern writers of much distinction excepting Scott, Moore, and Southey, and more recently, Dr. Chalmers; but that we had reason to suppose, that Newton had made some important discoveries in astronomy at the beginning of the last century; that 'one Locke,' as Lord Sunderland called him, had published about the same time, a pretty valuable essay on the human understanding; and finally, that there appeared in London, soon after the close of the seven years' war, a very agreeable little collection of letters on miscellaneous subjects, published under the feigned name of 'Fitzosborne.' This caricature, though somewhat more extravagant, is in point of taste and correctness, precisely parallel to that of the Review. To attempt to remove an ignorance, which is obviously affected, would of course be superfluous, and we shall therefore spare ourselves the trouble of completing this very elaborate catalogue of American authors. We may remark, however, that at the moment when the reviewer was telling us, that he could only recollect the few names above quoted, that of Jefferson was ringing through the newspapers of his country, and filling the

mouths of men of science, taste, and liberal curiosity throughout the civilized world. The memoirs and correspondence of this illustrious statesman, philosopher, scholar, and author, were probably on his table at the time when he wrote the passage in question. Does the reviewer mean to tell us that the name of Jefferson will not be ranked hereafter among the principal ornaments of the literature and philosophy of the present day? Does he really suppose that the author of the declaration of independence of the United States, the Notes on Virginia, and the vast body of political, literary, and scientific works, which emanated from the same prolific pen, will be eclipsed in the judgment of posterity by *Hector St. John*, or by either of the four writers, justly distinguished as they all are, whom the critic has thought proper to mention? He ought to be aware, whether he is or not, that Mr. Jefferson will occupy an elevated place in the very highest order of writers—the one of which Cicero and Burke are the great exemplars in ancient and modern times—writers, who by combining literary and active pursuits, and exhibiting in both a first-rate talent, furnish in their works the most complete reflection that can possibly be given, of the finished man. A person, who could forget the name of Jefferson in the present noon-day of his glory, and go back half a century to rake out *Hector St. John* from the dust of his barn-yard, would not feel the difference between Tacitus and *Tom Thumb*, and would have talked to you of *Goody Two Shoes* the morning after the first publication of the *Reflections on the French Revolution*.

By the side of the Memoirs and Correspondence of Jefferson lay, or should have lain, upon the table of our critic, at the time when he was writing, among the other new publications, the first volume of the American translation with an accompanying commentary of the *Mécanique Celeste*. Is the name of Bowditch unknown to the countrymen of Napier, Playfair, and Leslie? If so, is it our fault or theirs that they are ignorant of the existence and labors of one of the first mathematicians of the age? It will not answer for the critic to tell us, that he intended to limit his view of our literature to the departments of poetry and romance, since the very publication which was immediately before him belongs to that of moral philosophy. Charity itself requires that we should compliment his memory and understanding at the expense of his honesty, and believe that his pretended ignorance is, as we have already intimated, a mere piece of silly affectation.

We shall not, as we have said before, undertake to complete the catalogue which this writer has left in so defective a state, but will mention a few other names which would naturally have occurred to any person disposed to do us justice, and moderately versed in our political and literary history; and continuing to look at the same great department of science, to which the works of Dr. Channing and those of Mr. Jefferson belong, we would venture to ask our critic whether, with his universal knowledge of men and things, past, present, and to come, he ever heard of two such persons as JOHN ADAMS and JOHN QUINCY ADAMS? If not, we have the honor to apprise him, that the former, who under a coincidence of singularly beautiful and affecting circumstances a few years since terminated his earthly pilgrimage—and the latter, who is still living in the full vigor of his powers and brightness of his glory, have occupied successively, during their long and brilliant careers of half a century each, the highest places in philosophy, taste, and learning, as well as in the administration of the government of their country, and the esteem of their fellow citizens; that though they were constantly engaged in the most urgent and momentous political affairs, creating constitutions, representing the people in legislative halls and foreign courts, encountering, in short, responsibility and toil of every description, until they finally stood before the world as the elected Rulers of our great and rising empire, they still found leisure—like the admired statesmen and sages of antiquity—to cultivate letters in the intervals of business—published voluminous works, the results of thorough researches into the most intricate branches of political philosophy—taught in our colleges the noble arts they practised in the Senate, and maintained an extensive correspondence with most of the distinguished individuals of the age. Of them and their works the reviewer, according to his own account, is profoundly ignorant. Whether his ignorance, real or affected, be more discreditable to himself or to them, is a question which we may safely leave to the reader to decide. Again; did our critic never hear of FISHER AMES? If not, we recommend to his perusal *the Speech on the British Treaty*, and the *Eulogy on Hamilton*. He will soon perceive that the views they set forth are similar to those that are generally taken in England on the same subjects; and having thus ascertained that he can praise them with a good conscience, we have little doubt that he will admit them to be fully equal to

the most successful efforts of Canning or Mackintosh; Hamilton himself, with his illustrious fellow laborers, Madison and Jay, the joint Numas of our modern Rome; did the reviewer never hear of them, or does he suppose that their works will be winked out of the view of the world by the voluntary blindness of an anonymous Scotch journalist? To take a more 'modern instance,' has our critic, in the singular shortness of his memory, forgotten the name of Robert Walsh, who has been several times noticed with extraordinary favor in the Edinburgh Review itself, has contributed to its pages, and was pronounced by its conductors to be one of the best writers in the language, until he undertook the task of defending his country against British slander, after which it was pretty soon discovered, that he did not write so well as he did before; who now publishes a review that would be disparaged by being placed on an equality with most of the leading English journals of the same description? We will mention but one more name, and only further ask, whether it would not have been natural for one who was taking a general view of American literature, in connexion with a particular notice of the works of Dr. Channing, to revive the recollection of his friend and colleague in the ministry of divine truth, the beloved, the admired, the lamented Buckminster—a miracle of genius, cut off indeed in the early morning of his brilliant promise, but not till he had produced works which may well be compared with the mature efforts of the highest talents in the same departments of learning? His discourses, of which a volume was published soon after his death in 1813, and a second has just passed through the press, are among the most elegant, finished, and really valuable productions of their class to be found in the language. They combine the powerful thinking of the English divines, more directly applied to practical life, with the fervid eloquence of the French school, chastened by the purest and most delicate taste. With all their merit they give us, no doubt, as we read them, a very inadequate idea of the delightful effects which they produced, when the impression was aided by the charming intonations, the graceful movements, and the radiant visage of the accomplished speaker; but considered simply as written sermons, they are undoubtedly superior to any that have appeared in England since the beginning of the present century. To say this, is giving them, indeed, but scanty praise, and it would be easy to show, if we

had room and opportunity to make the comparison, that the standard of pulpit eloquence, and we may add, of biblical criticism and most other branches of theology, is higher in this country than it is in Great Britain. In these respects, we are at least sufficiently advanced to know what has been done and is doing on the continent of Europe, which does not appear to be the case with our worthy brethren of the 'fast anchored isle.'

If the object of the reviewer, in reducing the number of American authors of any reputation to three or four, were to do the greater honor to those, whom he is willing to acknowledge as such, his proceeding, if not justifiable, would be rather more natural. We all have our favorites among the various pretenders to different kinds of distinction, and are apt enough, in our partiality for those we prefer, to overlook the just claims of others. Such, however, is not the motive of this writer. After limiting in this way the number of our authors, he next proceeds to a malignant and studied depreciation of the merit of those whom he is pleased to enumerate. Messrs. Irving, Brown, and Cooper, and Dr. Channing, are successively noticed in a tone of insolent and contemptuous levity, which would suit well enough with an inquiry into the merit of a doubtful rope-dancer or the rival pretensions of the two Fire-Kings, but which really seems to us to be out of place in a discussion that involves the honor and interest of some of the most highly gifted and respectable individuals of the day. Messrs. Irving and Cooper—although not precisely of equal pretensions—stand, as our readers do not require to be informed, quite at the head of polite literature. Their reputation and popularity are not confined to England and the United States, but extend through the civilized world. With the exception of a few veterans in the wane of their powers, though still in the fulness of their fame, such as Goethe and Châteaubriand on the continent, and Scott, Moore, Southey, and some others in England, that properly belong to another generation, we really know no writers, who, in the line in which they labor and excel, can come in competition with our distinguished countrymen. Their eminence is not the passing effect of an accidental burst of popular favor, obtained by low and unworthy arts, but rests securely on the labors and successes of a series of years. Dr. Channing, on the other hand, though at present somewhat less extensively known, possesses claims to respect of a still higher order, resulting from a still more marked

superiority of talent, and enhanced by the sacred nature of his calling and the exemplary purity of his life. The delicacy, which we deem it proper to observe in speaking of a living character, a neighbor, and a personal friend, prevents us from dwelling so much as we should otherwise gladly do upon the merits of this divine. Suffice it to say, that if first-rate powers, directed with a steady, unwearied, and enthusiastic effort to the promotion of the noblest ends by the noblest means, can entitle a man to the gratitude of others, Dr. Channing has a fair right to claim that distinction. We are happy, for the honor of our country, to add, that the public favor has, in this case at least, been awarded with discernment, and that few, if any, of our citizens, are more admired and respected by all classes of the community.

Such are the persons, whose literary merits are the subject of discussion in the article before us. Let us now see the manner in which they are treated.

Mr. Irving, who had hitherto been petted, and, as it were, clapped on the back by these sturdy censors, is now 'deficient in nerve and originality,' he 'brought nothing with him from home,' and his sketches, taken in England, are only 'copies of our favorite authors'—'patterns, taken on silk paper from our classic writers.' The applause bestowed upon his works, was not so much a tribute to his merit, as an acknowledgment of the assiduous homage, with which he courted the favor of the British public. 'He gasped for British popularity.' 'The *national politeness (?)* owed him some return, for he imitated, admired, deferred to us, and was ready to *sacrifice every thing* to obtain a smile or a look of approbation.' Such is the liberal construction put by the critic upon the amiable and romantic, but perfectly honest and even natural delusion in regard to the refinement and generosity of the British aristocracy, under which Mr. Irving appears to have labored on his arrival in England, and which certainly gave a false coloring to many passages in the second series of his writings.

Mr. Cooper is treated with still less ceremony. He is 'the drudge of his materials,' he 'labors under an epilepsy of the fancy,' he is 'not aware of the infinite divisibility of *mind* and matter.' Is the reviewer, by the bye, quite certain himself of the truth of this principle as respects the former substance? He 'anatomizes his subjects'—'he runs riot in an account of the dishes at a boarding-house, as if it were a banquet of the

gods, and recounts the overturning of a stage-waggon with as much impetuosity, turbulence, and exaggerated enthusiasm, as if it were the fall of Phaëton.' One of his works is, however, a masterpiece, but the merit even of this appears to result in a great measure from the circumstance of its containing a single fine description. And what, gentle reader, do you suppose to be the subject of this description, which has the effect of elevating one of these abortions of an epileptic fancy into a literary *chef-d'œuvre?* Neither more nor less than the 'white topsail of an English man-of-war.' 'The description of the guiding of the vessel by the Pilot through the narrow strait left for her escape, the sea-fight, and the incident of the *white topsail of the English man-of-war* appearing above the fog, where it is first mistaken for a cloud, are of the first order of graphic composition. *The rest is commonplace.*' Our critic traverses in the wake of his adventurous author a thousand leagues of land and pathless ocean—numberless incidents and changes of many-colored life invite his attention without success. 'Tis all barren because 'tis all foreign. But no sooner does the 'white topsail of an English man-of-war' rise upon his fancy, like the welcome vision of the Heavenly Twins upon the weary eyes of the tempest-tost mariners in Horace, than all is well, and he is ready to exclaim with honest Larry in the Absentee, 'There spoke the true thing—now my own heart's satisfied.' '*The rest is commonplace.*'

This we think excellent. We know nothing better in the same way, unless it be a subsequent passage in the article in which the reviewer represents himself as having heard or *said* beforehand all the good things in Dr. Channing's Essay on Milton. 'Our author's criticisms seem to be in a great measure borrowed from our own lucubrations.' 'All this we have heard or said before. We are not edified at all, nor are we greatly flattered by it. It is as if we should convey a letter to a friend in America, and should find it transcribed and sent back to us with a heavy postage.' Our reviewer, whatever may be his other errors, can hardly be charged with hiding his light under a bushel. Montesquieu tells us in one of his Persian letters, that on a visit to a friend's house in the country, he met with two persons who talked more than the rest of the company. The conversation of one resolved itself into this phrase, *Cela est vrai parceque je l'ai dit*—'that is true, for I have said as much myself;' that of the other into the following, *Cela*

n'est pas vrai parceque je ne l'ai pas dit—'that cannot be true, for I never said any such thing.' The former was considered a pleasant fellow, while the other passed for an insufferable coxcomb. Our critic employs the converse of the first of these forms. *Cela est vrai, donc je l'ai dit*—'that is true, therefore I said it myself.' He has not the most remote conception that any body else in the world can originate a good thing. If there be a bright thought in Dr. Channing's Essay on Milton, it was of course borrowed from the article on the same subject which appeared about the same time in the Edinburgh Review, although the latter unluckily did not reach this country until after Dr. Channing's was published. Talleyrand, upon reading one day in a newspaper some new repartee, which was attributed, as usual, to himself, is said to have exclaimed, *Voila encore un bon mot, que je suis bien aise d'avoir dit.* The reviewer, we think, might say as much with great propriety in the present instance, for Dr. Channing's article, wherever it may have come from, is the better of the two. With equal simplicity he firmly believes, that all the books that are published throughout the world are intended solely and exclusively for the perusal of his fraternity, and if they contain any allusion to, or extract from 'the Review,' they are thus far in the nature of a letter, which returns to its writer with the burden of double postage. With all this, our critic can talk very pointedly and properly in the same article on the folly of *selfishness*. 'This *paltry self*, looking upon *itself* as of more importance than all the rest of the world, fancies *itself* the centre of the universe, and would have every one else look upon it in the same light.' We entirely agree in the doctrine here stated by this writer, which is so distinctly expressed as to relieve us from the trouble of seeking epithets, to characterize his practice.

So much for the manner in which Messrs. Irving and Cooper, and in part Dr. Channing, are treated in the article before us. As respects the last of these writers, he not only borrows all his good sayings from the Edinburgh Review, but 'endeavors to trim to all opinions and unite all suffrages,'—'calculates the vulgar clamor and venal sophistry of the British press for the meridian of Boston,'—'keeps an eye to both worlds, kisses hands to the reading public all round, and does his best to stand well with all the different sects and parties.' 'He is a Unitarian, but disclaims all connexion with Dr. Priestley as

a materialist; he denounces Calvinism and the Church of England, but to show that this proceeds from no want of liberality, makes the *amende honorable* to Popery and Popish divines—is an American Republican and a French Bourbonist—abuses Bonaparte, and observes a profound silence with respect to Ferdinand.' '*He likes wit, provided it is serious.*' Because he speaks of Milton, Bacon, and Shakspeare, as superior in the order of intellect to the Duke of Wellington and Admiral Nelson, he is compared to Abraham Adams, in Fielding's novel, who 'thought a schoolmaster the greatest character in the world, and himself the greatest of all schoolmasters;' and is represented as 'gravely dividing greatness into different sorts, and placing *himself* at the top.' Finally, he is a '*pretender* of the stamp of those, who think that there is no reason why they should not do all that others can, and a great deal more into the bargain.'

Thus much for his personal character. As to his writings;—'We like his sermons best—his criticisms less—his politics least of all.' It would seem from other passages, that the best is bad enough. Even as a preacher, his 'style is tedious, and his arguments trite.' 'He is prolix without suspecting it—lays a solemn stress on the merest trifles—repeats truisms and apologises for them as startling discoveries—plays the sophist, and conceives that he is performing a sacred duty.' The 'general feature' that distinguishes his works is '*ambitious commonplace.*' 'He takes up the newest and most plausible opinion at the turn of the tide, or just as it is getting into vogue, and would fain arrogate both the singularity and the popularity of it to himself.' 'His account of Milton is a mere imitation or amplification of what has been said by others,' which *others* are, as we have seen, afterwards explained to be the critic himself. 'His style is good, though in general too labored, formal, and constrained. All is brought equally forward—nothing is left to tell for itself. In the attempt to be copious, he is tautological—in striving to explain every thing, he overloads and obscures his meaning. The fault is the uniform desire to produce effect, and the supposition that this is to be done by main force.' 'His politics are borrowed from others, and are grounded on misrepresentations and falsehoods.' The 'ugly mask,' which once concealed from the world the true character of Bonaparte, has, it seems, been 'taken off in England,' but Dr. Channing chooses to lecture on the 'mask in preference to the head.'

Now we must assume that every journal of the character and pretensions of the Edinburgh Review, has for its object, in profession at least, if not in practice and reality, to promote good taste in letters, and good principles in the conduct of life. This being supposed, we would venture to ask whether the prevalence of good taste is promoted by a studied depreciation of the merits of the best writers of the time, or that of good principles by treating the ministers of religion and the most enlightened, active, and ardent friends of humanity with open insult, merely because they happen to reside in a foreign country. It is not our purpose to attempt to fix on this occasion the precise value of the literary labors of the distinguished persons alluded to, and we shall therefore not undertake to examine whether there be or be not any real foundation for some or all of the charges here made against them. They doubtless have, like all other men, their weak points, and this critic would have proved himself to be as stupid, as he is malignant, which is not exactly the case, if he had not selected these as the basis of some at least of his caricatures. Others, as we shall presently see, are so entirely destitute of any resemblance to the features of the originals, that they must necessarily pass for mere fancy-pieces. But without pretending to refute, or even examine in detail any of these objections—without wishing to exempt these writers from the full severity of a just and legitimate criticism,—we confine our view at present entirely to the tone and temper of the article,—about which, after the extracts we have given, the reader will perceive that there can be no dispute,—and we ask again what advantage results to the cause of good taste and good morals from assailing the best writers and the best men with wanton outrage? Is it fair, just, grateful, or honorable to reward in this way, the labors, the studies, the privations of every kind, which are incident to the literary profession? The principle of genius is a keen sensibility, which renders its possessor uncommonly susceptible to all impressions, and incapacitates him, as it were, from bearing up with equanimity under the toils and troubles that enter so largely into even the common lot of humanity,—and are those whose occupation it is to cultivate and encourage letters, to add to these troubles the 'slings and arrows' of unprovoked calumny? The delicate texture of a poetical imagination is not proof against such treatment, which has often been fatal to the peace, the happiness, the life itself of those who have suffered

it. It was said by Racine, that he had received more pain from a single unjust criticism, than pleasure from all the praise that had ever been bestowed upon him; and it is commonly reported, that he died of the effects of a reprimand from his sovereign. A modern critic remarks, that it was a great piece of folly in so wise a man, to allow himself to be so much affected by so slight a cause; but he did not recollect that if Racine had been so constituted as to support with indifference the attacks of critics and the displeasure of Louis XIV. he could not possibly have written his exquisite tragedies. Did our reviewer remember when he aimed at the probity of Mr. Irving, the false and wanton insinuations, or rather assertions, which we have quoted above, that, coming from such a quarter, they would necessarily poison for a time the peace of one of the purest and most amiable, as well as ingenious men now living? Was this a natural return for the pleasure which he has given to us all—including his cynical calumniator—by the charming creations, with which his fine genius has for so many years peopled the monotonous pathway of every-day life? Or even if we choose to consider the whole business of polite literature as mere sport, and those who cultivate it, as voluntarily exposing themselves to be treated with a wanton and insolent levity, which they are to receive as mere pleasantry, and requite in kind, what shall we say of the taste and principles of those who sport in the same way with the sacred subject of religion and its teachers? These may be supposed indeed to be comparatively indifferent to unjust attacks. Their objects are of a loftier and purer kind than those of the merely literary man, and raise them above the sphere of popular applause and censure, in which the other lives, and moves, and has his being, —above the ordinary accidents of life. Like their sublime Master, when fixed to the cross in the fatal hour of his last agony, they can pray for their spiteful and malignant persecutors, as mistaken wretches, who know not what they do. But the same reasons, which render the minister of religion, who truly feels the spirit of his calling, superior to the influence of calumny, impose upon others with tenfold force the duty of treating him in the interest of society with marked respect. We are willing to believe, and do in fact think it probable, that the critic was not aware of the extraordinary purity and excellence of the character of Dr. Channing, when he ventured to assault him in this unmanly style, but it is obvious that the reverence,

which is habitually cherished by all right-minded persons for every thing connected with religion, in the absence of any more particular motive, ought to, and would, if he had felt it, have restrained his petulance.

It is not our intention, as we remarked above, to discuss in detail the objections that are made to the literary and moral characters of our distinguished countrymen in the article before us, but we will here barely mention, without enlarging upon them, one or two very extraordinary inconsistencies between the statements of the critic, and the real facts of the case.

Mr. Irving is represented as entirely deficient in images and feelings of American origin—'he brought with him no new earth, no sprig of laurel gathered in the wilderness, no red bird's wing, no gleam from crystal lake, or new-discovered fountain, neither grace nor grandeur plucked from the bosom of this Eden state, like that which belongs to cradled infancy—but he brought us *rifacciamentos* of our own thoughts—copies of our favorite authors.' Now all this, which is prettily, though somewhat affectedly, expressed, happens to be exactly the reverse of the truth. The best parts of Mr. Irving's works are those in which he has drawn his inspiration wholly from American sources, and those of which the scene is laid abroad, though often beautiful, are uniformly feebler than the former. Such has been and is the general opinion of competent judges, and, what our critic will consider as more to the point, of the writers in the Edinburgh Review. In a very favorable notice of the Sketch Book, which appeared in that journal, some articles were recommended, and in part quoted, as more particularly interesting, of which the prominent one was *Rip Van Winkle*. It appears, therefore, that the first bouquet which Mr. Irving presented to the British public, contained a 'sprig of laurel,' which he had brought with him from home, and which was pronounced at once by these fastidious critics, to be the prettiest thing in the bunch. In their notices of his subsequent works, the passages founded on American scenery and manners, have always been selected as the most striking and spirited. So obvious indeed is the superiority of these to the rest, that we have no hesitation in regarding them as the life of the collections in which they appear, the attic salt as it were, that gave vitality, freshness, and taste to the otherwise somewhat insipid compound. Mr. Irving had gathered on his native soil, and before he ever saw Europe, not merely 'sprigs of laurel,' but garlands

far more healthy and more likely to endure than those which he afterwards plucked in the conservatories of England. His Knickerbocker, on the whole the most powerful and original of all his productions, is wholly American. Every line of it is 'new earth and red bird's wing.' In Salmagundi there were occasionally imitations of Addison and Goldsmith, and the plan was copied from that of the Spectator, but even here the best things are of native origin. The *Little Man in Black* is not, as far as we recollect, described in 'our stock-books of a century ago,' nor have we seen any account of the American *logocracy*, the Tunisian ambassador's wardrobe, or the pleasures of a tour to Saratoga Springs by 'the wits of Queen Anne.' When Mr. Irving went to Europe, he carried with him, as we have just seen, sundry sprigs of laurel, a little nursery, in fact, of wild flowers, which he mingled in somewhat sparing proportions with those of foreign growth, that he collected on his way, but which were constantly noticed as the pride of his nosegay. The red bird's wing was always the most conspicuous plume in his bonnet. But we did not find him putting forth all his power until he employed himself again in his Columbus upon a subject exclusively and strictly American. Does our critic find no 'gleam of crystal lake, or new-discovered fountain, neither grace nor grandeur plucked from the bosom of an Eden state, like that of cradled infancy,' in the charming descriptions which Mr. Irving has given us of the indolent, luxurious Paradise of the natives of Haïti? Why, this very writer, or one of his fraternity, employed, but a short time since, almost the same language in telling us what Mr. Irving's style is, that he now employs with the insertion of a negative in telling us what it is not. This is really *too bad*. Mr. Irving's sketches in England are, as we have hinted above, comparatively feeble. By affecting to represent these as the only things which he has done that are worth attention, and throwing out of view the whole of his best and most spirited productions, the reviewer is able to make him out a mere tame copyist of the British classics, with some degree of plausibility; with how much candor, we leave it for our readers to judge.

An inconsistency with fact, not less glaring than that which we have just noticed, occurs in the account of Dr. Channing, the prominent trait in whose character, according to this writer, is a disposition to 'trim to all opinions, and keep well with all parties at the same time.' Such is the picture; but how

stands the fact? Dr. Channing, as our readers are generally aware, is the acknowledged leader of the Unitarian sect, as far as there can be leaders in a communion of which the officiating clergymen are all on a footing of perfect equality. Far from making a secret of his opinions, he habitually declares them with a degree of fearlessness, which some of his friends consider imprudent. Now the Unitarian sect—although it includes perhaps, in proportion to its numbers, as large a share of the talent, virtue, and respectability of the country as any other, —is doubtless among them all the one, which has the least pretensions to popularity. It is in fact one, which, as all who are capable of looking at the subject philosophically well know, from the nature of its tenets never can be popular. It is one which scrutinizes texts—estimates the value of manuscripts and editions—balances the authority of conflicting passages, and consequently addresses itself to a very limited portion of the community: for such a portion only have the means and leisure to pursue these inquiries. We may go further, and affirm with safety, not only that the Unitarians are not a popular sect, but that they are decidedly the most unpopular of all. They are habitually denounced, both here and in England, by those who respect and love them individually, as unbelievers, deists, and sometimes atheists. The state of the case is therefore simply this: Dr. Channing stands forth openly and fearlessly before the world as the leading champion of a decried, suspected, and unpopular class of Christians. It is no part of our business to inquire into the justice of the suspicions entertained of the Unitarians, which may or may not have a reasonable foundation. The fact is undoubtedly as we have stated it. What, then, does the reviewer mean,—what can he mean,—by representing Dr. Channing as a time-server, who trims to all opinions, and keeps well with all parties? Is it trimming to all opinions to espouse a particular one, and maintain it with so much energy, eloquence, and consistency, as to be considered the leader and champion of those who hold it? Is it keeping well with all parties to oppose and defy them all except a particular one, and that the smallest and most unpopular among them? In his controversial writings, Dr. Channing has no doubt uniformly observed the decorum, which belongs to his character and feelings, as well as to his position, and has treated his opponents with perfect liberality; but we venture to hope that the observance of the ordinary courtesies of life does not make a man out to be a

time-server and a trimmer. If it did, by the bye, we think we could safely assure the writer of the article before us, that he would never be considered as obnoxious to those qualifications In short, the charges here made against Dr. Channing are so obviously and palpably at variance with his position in the world, they attribute to him a character so entirely the reverse of that which he notoriously bears, that it is somewhat difficult to imagine how the idea of them could have gained admission into the reviewer's mind in connexion with his name. The making of them supposes, no doubt, an almost complete ignorance of the reputation and standing of the author whose works he undertook to cut up, as well as a criminal readiness to scoff at things and persons which all good men regard with reverence; but it also supposes, we think, the existence of some particular motive which operated in this case, to give a bias to the mind of the reviewer, which, under other circumstances, it could not well have taken.

It appears, in fact, from the tenor of the article, that there was such a motive, the nature of which is indicated with sufficient clearness in the closing sentence of the extracts given above. The 'ugly mask' which for a time concealed from the world the character of Bonaparte, has, it seems, been taken off in England; but 'Dr. Channing continues to lecture on the mask in preference to the head.' Dr. Channing, has published, under the form of a review of Scott's Napoleon, a powerful analysis of the intellectual and moral character of that personage, which, according to the notions of the reviewer, is not sufficiently favorable to the 'Man of Destiny.' The supposed injustice done to his favorite hero, seems to be the source of the particular disgust which the reviewer has taken towards our distinguished countryman; and the supposed inconsistency between a love of liberty and a dislike of Bonaparte, appears to be the real foundation for the charge made upon him, of trimming between opposite opinions, and keeping well with all parties.

Now, supposing even that Dr. Channing had in some degree mistaken the character of Bonaparte, we cannot admit that this would at all justify the critic in his outrageous attack; but, independently of this consideration, we must also remark, that, according to our judgment, the mistake on this subject, if there be any, is on the other side. We cannot perceive that any material injustice is done to the celebrated Corsican in

the Doctor's article. We greatly doubt the fact, so positively affirmed by the reviewer, that the 'ugly mask,' which was formerly supposed to be the face of Bonaparte, has been taken off in England. We have seen no authentic account of any such operation. The meaning of this language in plain English—if it mean any thing—is, that Napoleon was at one time considered as a tyrant, a usurper, and an enemy of liberty, but that the public opinion on this subject has been since changed, and that he is now better thought of, perhaps approved, lamented, and admired; for we are not informed how far the reviewer means to proceed in his hero's apotheosis. Now we are free to confess, as respects ourselves, that we have no knowledge of any such revolution in the public opinion upon this subject, and we believe that we may say the same for most of our countrymen. On this side the water, Napoleon is still the same tyrant, usurper, and enemy of liberty, that he always was; and Dr. Channing, in representing him under this point of view, has expressed the feeling of the great mass of his fellow-citizens, as well as his own. We know that a mask was removed from his character some time before his death—not, however, by any means an ugly mask, but, on the contrary, a brilliant and dazzling one, like the silver veil of the Prophet in Moore's poem—we mean the false glare, the *prestige*, to use an expressive French word, with which the possession of imperial power and unbounded wealth had so long surrounded him in the imagination of the world. When this was removed, he did not,—such at least is our impression,—rise in the public estimation, but on the contrary was thought to have lost much of his heroism, without gaining a great deal on the score of humanity. When we saw the conqueror in fifty pitched battles—the modern Charlemagne—forgetting the real, in a vain concern for the imaginary and conventional, dignity of his character, and disputing with a paltry colonial governor about the style in which he was to be addressed, and the number of bottles of claret he was to be allowed for dinner, with as much apparent interest as he had before contended with Alexander for the empire of Europe, our estimate of his qualities was in some degree lowered, and we recollected Rousseau's well known ode,

> Le masque tombe—l'homme reste,—
> Et le héros s'évanouit.

Since that time, and especially since the death of Bonaparte, we have had in rapid succession a series of publications, filled

with the most minute, curious, and instructive information respecting his character and opinions, prepared in general by friendly hands, and compiled, in part, under his own direction and even dictation. We have had the scientific and military details of his campaigns by himself and his favorite generals; the diffuse memoranda of his conversations in exile by the Count de Las Cases, and now within a few months the authentic narrative of his private life while in power, by his favorite secretary, of which we hope in a future number to lay some notice before our readers. In addition to this, we have had a hundred collections of memoirs, some of them in the highest degree curious and interesting, by various personages, who figured in his armies or at his court, from his brother to his butler: and we may safely say, that there is now, as the Spanish proverb runs, very little at the bottom of the inkstand. The strain of most of these works is on the whole decidedly panegyrical, as might naturally be expected, when we recollect that they were almost all written by creatures and dependants of the Ex-Emperor, who looked back to the period of his reign as the golden age, which for them no doubt it was. Every thing has been said that could be said, to exalt, embellish, explain, justify, excuse, or palliate, according to the nature of the particular passage of his life under consideration. His encomiasts endeavor to make him out the 'wisest, virtuousest, discreetest, best' of men, as well as the most enterprising, skilful, and successful of commanders. We have been told how he pinched the Abbé de Pradt's ears, extemporised love-tales for the entertainment of the Empress and her ladies, and played bob-cherry with the King of Rome. All this may be true, although we must own that we receive it in part with some grains of allowance. But supposing it to be all true, it does not much affect the political and moral character of the personage, who, we fear, must still remain what he was before—*sedet æternumque sedebit*—a usurper, a tyrant, and an enemy to liberty.

Our critic takes it very much amiss that Dr. Channing should elevate Milton, Bacon, and Shakspeare in the order of intellectual precedency above Wellington, Nelson, and Napoleon, and in general should consider philosophy and poetry as higher applications of talent than the business of practical life even in its highest departments, which policy and war undoubtedly are. He affirms that the latent object of the Doctor in making this division, is no other than to place himself at the top among

those who *talk* about things, and commanders at the bottom among those who only *do* them. Now this, which is doubtless in the opinion of the reviewer very excellent pleasantry, is unquestionably very inaccurate, and we must add, very unfair when considered as a statement of the theory of our countryman. Dr. Channing does not place himself, but Milton, Bacon, and Shakspeare at the *top*, and he does not place the great commanders, such as Napoleon, Wellington, and Nelson, at the *bottom*, but only below the very few persons who have exercised equal or greater powers in a still more comprehensive and general way. The difference between these two versions of his theory, however unimportant the critic may consider it for other purposes, is at least very material to the reputation of Dr. Channing for modesty—a quality which is more valued on this side the water than—to judge by the practice of the reviewer—we should suppose it to be in Scotland. As respects the principle, we incline to think that it will bear examination, and do not consider it so much at variance with the common opinion of the world as this writer evidently does. If he had not treated it as a paradox, we should have been rather disposed to regard it as a truism. 'In Europe,' it seems, 'we think that Cæsar, Alexander, and Charlemagne were no babies.' Has Dr. Channing, then, intimated that he considered Napoleon as a baby? Is every man a baby who could not have written the Paradise Lost, the *Novum Organon* or King Lear? If the reviewer's object be caricature, we can understand what he means; but his representation, or rather misrepresentation, is obviously wholly foreign to the merits of the question. 'We think in Europe that to move the great masses of power, and to bind opinions in a spell, is as difficult as the turning a period, or the winding up a homily.' Does the reviewer then mean to tell us that it is the commander, military or naval, who moves the great masses of power and binds opinions in a spell? Is it not perfectly obvious, that no individual, by a direct application of even the highest talent to practical business, can produce any very extensive effects, excepting so far as he may have the advantage of a favorable state of opinion, prepared, 'spell-bound,' as the reviewer is pleased to say, beforehand? No illustration of this remark can be more complete and conclusive than that which is furnished by the example of Napoleon himself. The conqueror of Arcole, Austerlitz, and Jena, undoubtedly possessed a military genius

of the first class; but what would he have been under other circumstances—had he lived, for example, fifty years earlier than he did? He would have been under Louis XV. what Dumouriez—a person of much the same character—was, a brigadier-general at forty, with the reputation of a *mauvaise tête*, and alive at this day. The principle of his great success lay in the fact of his appearance at a critical epoch. The revolution had electrified public opinion, and thrown the great living masses of power, not only into motion, but into convulsions. Bonaparte, with his prodigious military talent, electrified himself by the same causes that acted upon all the rest, was able, under the favor of circumstances, to give these masses for a time a direction towards any particular object which he happened to prefer. Here was a golden opportunity for displaying the very highest order, not of intellectual, but, what is a still nobler quality, moral greatness; and had Napoleon done justice to it, he would undoubtedly have placed his name above those of Milton, Shakspeare, or any other that is named among men, excepting only that of Washington. To what object then—having as he had the full liberty of choice—did he direct the almost boundless power which was placed at his disposal? The good of the world—the service of truth, virtue, and liberty—the welfare of his country? Oh no! All these might have been promoted together, and by the same efforts; but these noble objects, and with them the lives and happiness of millions of his contemporaries, were sacrificed to a direct regard for his own *paltry self*, as the reviewer has it. When the universe was all in alarm, ready for any thing, and thrown by accident under his command, he could think of nothing better to employ it upon than the mighty adventure of changing the style, title, and mode of living of a little French corporal and his family. Such were his pretensions to moral greatness; and where a man is deficient in this particular, there is much reason to fear that his mind is not of the highest order. 'The heart,' says Vauvenargues, 'is the true source of intellectual power.' *Toutes les grandes pensées viennent du cœur.* But to return to the question, as stated by the reviewer himself—Who electrified public opinion, and set in motion the great masses of power, which Napoleon so shamefully mismanaged? Obviously the authors of the French revolution. And who were the authors of the French revolution? The military, we know, were the last portion of the community who had any concern in it.

Those who gave the impulse and carried on the work to its completion at the taking of the Bastille, were the orators, thinkers, and writers—to go no higher—of the two preceding centuries, from Luther to Mirabeau. How did they effect their object? Precisely by the means which the reviewer speaks of with so much contempt—'by turning periods' and 'winding up homilies.' An obscure Augustine monk, by his powerful preaching, wrought in such a way upon the feelings of his contemporaries, that they burst all bounds—rent in twain the sacred veil that had before concealed from the public the mysteries of religious belief, and commenced a series of wars that lasted a century and a half, and opened an epoch in the history of Europe. But as Luther only 'wound up homilies' he was of course, in the opinion of our critic, a very small man. Calvin and he were mere pigmies in comparison with Gustavus Adolphus and Wallenstein, who *did* the things, which they only *talked* about. Locke, Montesquieu, Voltaire, Rousseau, and the rest, by their powerful speculations in moral and political philosophy, effected the change in the public opinion of Europe, which immediately determined the occurrence of the French revolution, and thus unsettled all, and overthrew the greater part of the governments before existing in the civilized world. But as these persons only 'turned periods,' their agency was, of course, a very secondary one, and they are not to be named for importance on the same day with Dumouriez, Pichegru, Moreau, and, finally, Napoleon and his generals, who actually *did* what they only *talked* about. Such is the system of the reviewer. We in America—very foolishly perhaps—consider the 'kingly-crowned *head*' and the 'counsellor *heart*,' as nobler members of the body, whether politic or natural, than 'our steed the leg,' or 'the arm our soldier.' Without pretending to depreciate the importance of the functions of a military or naval commander, which are among the noblest that belong to practical life, we conceive that the philosopher occupies the same situation in the great action of human affairs, and in relation to the whole human race, that the general does on the field of battle in reference to his own army. The skilful commander, who knows his business, does not place himself in the front rank, and lay about him with his own hands. He takes his station on a neighboring height with a telescope by his side, and gives his orders to his aids, who in turn convey them to the inferior officers, until they reach the subalterns and privates. These are

the persons who actually cut down the enemy. They *do* what the commander-in-chief and the superior officers only *talk* about, and on the system of our critic are the real heroes of the day. In the same way, the philosopher takes his stand on the intellectual elevation of superior talent, and talks to the few who are able to hear him—*φωνᾶντα συνετοῖσιν*. By them his judgments of men and things are communicated to the many, and having thus wrought out a change in public opinion, begin at last to exhibit their practical effects, whether for good or evil, by determining a new order of political events. Thus far all is done by talking, and the talk is entirely upon general principles. At this period, a new scene opens in the progress of the action, and a new set of characters make their appearance. The practical statesman and commander are now the prominent persons, but still, as before, all is done by talking. The only difference is, that the conversation, instead of turning upon general principles, now turns upon the application of them to the business of the world. The representative and diplomatist talk in Congress and in Parliament—the commander talks and writes in his cabinet or at the head of his army—and they thus produce effects upon a somewhat inferior, but still very extensive scale, until, finally, the merely passive mortal machine begins to perform its functions. The tax-gatherer, the soldier, the sheriff, the surgeon, the attorney, the cultivator, get into motion. Sword and lancet, pill and cartridge-box, plea, plough, and printing-press are set to work: the talk is over, and the real action, as our critic considers it, is at last in progress. It is needless, of course, after what we have said, to dwell any further on the nature of his mistake, which is obviously the vulgar one of considering 'the pride, pomp, and circumstance,' the 'sound and fury, signifying nothing,' which attend the appearance of a certain class of the performers in this great drama, as proofs of their superior importance in comparison with the rest. A man who wears a laced coat with epaulettes on his shoulders, occupies the largest house in the city, is attended, when he goes out, by a multitude of others, and perhaps saluted by the discharge of a hundred pieces of artillery, is obviously a much greater character than another who merely sits down in his morning-gown, to write by his fire-side. The plausibility of the statement, so far as it has any, lies in confounding the faculty of writing and speaking with grammatical correctness and rhetorical elegance, with the intellectual power which is required for

writing and speaking with effect. In the former sense the art of turning a period or winding up a homily is undoubtedly a very trifling accomplishment, although we could wish that, trifling as it is, it were not quite so much neglected by some of our great men. But to turn a period or wind up a homily with effect, requires, in addition to all that Lowth and Blair can supply, *a head*—with good effect—*a heart;* and these are tools which, whatever the reviewer may think of it, are not to be found in every man's workshop. As respects the latter, at least, we believe that his own stock would not be the worse for a little mending.

The reviewer appears to consider the opinion entertained by Dr. Channing of the character of Napoleon, as not only unjust and incorrect in itself, but as entirely inconsistent with the liberal principles, which our countryman professes in regard to other matters. This supposed inconsistency is, as we remarked above, the real foundation of the charge made upon him by the critic of trimming between opposite parties. It is impossible according to this authority, to love liberty without loving Bonaparte, and one who pretends to love liberty, and at the same time to hate Bonaparte, must necessarily be a hypocrite and a time-server. 'We are surprised, that staunch republicans, who complain that the world bow to rank and birth alone, should turn with redoubled rage against intellect, the moment it became a match for pride and prejudice, and was the only thing that could be opposed to them with success, or could extort a moment's fear or awe for human genius or human nature!'

Now we must needs say, at the risk of appearing to be actuated by a spirit of indiscriminate censure, that the inconsistency here, as the error before, seems to us to be on the side of the reviewer, and not of Dr. Channing. We really cannot discern the identity between the cause of Bonaparte, and that of well-ordered and rational liberty, which is so perfectly obvious and palpable to the sharp optics of this Scottish seer. We in our turn are surprised that staunch whigs, nurtured in the principles of Sydney and Russell, brought up at the feet of Fox, enemies by creed, feeling, habit, and inheritance, of the slightest approach to arbitrary forms of government, should deem it consistent with their character to grovel at the footstool of a despot, and kiss the rod of iron oppression, simply because it is wielded by the hand of one who rose from the lower walks of life, possessed great talents, and had once been, or pretended to be, a

friend of liberty. Does tyranny lose its proper character, and cease to be odious, because the tyrant happens to be also a usurper, an apostate, and an upstart? If the situation and disposition of a ruler be such, that he will certainly do me all the injury in his power, is it a rational source of satisfaction to me, that he possesses great talents, and that his power to injure me will of course be nearly co-extensive with his will? Can I be blamed for turning with 'redoubled rage,' if the reviewer like the expression, upon intellect, when the only use that is made of this intellect is to invent and put in practice new and more effectual methods of depriving me by force or fraud of all I hold dear? Did the Romans of the time of Cæsar, who, as Cassius tells us in the play, were compelled to

> Walk under his *huge legs*, and peep about
> To find themselves dishonorable graves,

feel much pride in the large dimensions of the political man-mountain, that was trampling them down in the dust? For ourselves we are devotedly attached to liberty, and would make any sacrifice to escape from oppression; but if we must submit to it, we have no hesitation in saying that we should much prefer a good, easy, hereditary, gouty despot, who would ask for nothing but a skilful cook, and a well-stocked deer-park, to a fiery usurper of first-rate talent, who would be always on horseback, wasting the blood and treasure of his people in vain attempts to gratify his wild and wanton ambition. Tyrant for tyrant, we should certainly prefer King Log to King Stork, Louis to Napoleon; and we consider this preference as not only not inconsistent with, but as the natural and necessary result of a love of liberty. We must even venture to suggest to this critic, with all the deference due to so high an authority, that the intelligent friends of liberty on this side the water have not been edified by the tone of adulation which has generally distinguished the speculations of the Edinburgh Review on the character of Bonaparte. We have seen with regret, and a sort of indignation, the journal which claims to be, and may perhaps be fairly considered as being in Europe, the leading periodical organ of sound political principles, lavishing its warmest expressions of applause and admiration upon the bitterest and most effective enemy to such principles that has yet appeared. We cannot admit as a sufficient excuse for this, that the Edinburgh Review is or was, as respects the party divisions that prevail in Great Britain, an opposition journal; and that it was neces-

sary to defend at all hazards, and with every sacrifice of consistency and principle, the chief of a nation with which the ministry were at war. This might answer as an apology for a humbler class of writers, who profess no other rule of conduct than attachment to their party; but can hardly be received as a good plea in behalf of the Edinburgh Review. Or even if we consent to allow to this consideration somewhat more weight than it is fairly entitled to, what propriety is there in expecting that we in this country, who are not under the influence of the same party feelings, should give way to the same real or affected delusion upon this subject? Because the British whigs deem it politic to rush through thick and thin in pursuit of what they no doubt regard as patriotic objects, are the citizens of the United States, who have no immediate concern with those objects, to affirm that black is white, and sanction the wildest excesses in conduct, and the grossest errors in principle, merely for the sake of keeping them company? We can assure the reviewer, that it is as much as our consciences will bear us out in, to follow up the hue and cry of our own parties, without intermeddling in those of other countries a thousand leagues off. In short, if the critic will but coolly consider these things, he cannot avoid seeing, that the inconsistency complained of is really on his side, and not on that of Dr. Channing; that the friends of liberty are not, as such, bound in honor and conscience to bow down before the brazen image of a ruthless and bloody military despotism; and that if he, the reviewer, had thought proper to bestow a little of his friendly feeling upon the young, flourishing, growing, glorious, English republic of the United States, instead of wasting it all upon an Italian soldier, merely because he was a man of talent, he would have acted much more consistently with his professed principles, and done himself a great deal more honor in the opinion of judicious men.

The general result seems to be, that the attack of the reviewer upon the literary and moral reputation of Dr. Channing, and our other distinguished countrymen, is not less unjust than it is indecorous. We had intended, after replying to the article immediately before us, to have alluded to some other attacks, which have recently been levelled by the British press against this country, but have only room at present to notice the manner in which one of the more respectable weekly journals has been pleased to comment upon our own labors. We shall first quote entire the article to which we allude, and

which appeared in the Edinburgh Scotsman of December 5th, under the title of *North American Review, No.* 65, *for October,* 1829.

'We have no great respect for this periodical, of which a casual number now and then strays into our hands. We give the writers credit for considerable industry, talent, and extent of information, and for a large portion of that worldly shrewdness which disposes prudent men to sail with the tide, and keep to windward of all doctrines which are not already in general favor; but they are woefully deficient in intellectual courage, in profound and original views, in lofty aims, and in that love of truth and of mankind, which atones for many errors, and sanctifies the best efforts of the understanding. The journal wants true American feeling; it wants heart and it wants soul. The writers *creep* in the train of our reviewers, and take upon their shoulders from choice, the load of prejudice and sophistry which is forcibly entailed upon us by our old establishments, and the feelings and interests which have grown out of them. There is but one absolutely *clear stage* in the world for the discussion of every question that interests mankind; and that, owing to a happy combination of circumstances, exists in North America. But the periodical writers of the first class there, voluntarily renounce the high functions which thus devolve upon them, and, instead of heading the tide of liberal speculation, and boldly proclaiming truths which must either be suppressed in the old world, or uttered in whispers, send us back a feeble echo of the false doctrines and antiquated opinions, which are, or were current among ourselves. For any thing that appears in it on politics, morals, law, religion, or philosophy, this review might be edited under the censorship of a Burgomaster of Frankfort, or an Amtman of Carlsruhe! If it was (were) published in either of these towns, we should say it was a respectable journal; but as the organ of opinion in free republican America, nothing can be more pitiful. It is as innocent of giving countenance to innovation, as if Prince Metternich were the editor! Indeed, it gives shelter and protection to many errors and prejudices, of which enlightened men in Europe are beginning to be ashamed. The writers have not the slightest conception that their country exemplifies a new and happier order of society, which ought to become a source of light to the world. Were Locke and Sydney living in our day, they would regard the American government as a beautiful and successful experiment, which has solved difficulties that had perplexed the wisest of men from the beginning of time, and unfolded truths of incalculable value to mankind.

Not so the sages of the North American Review. In their eyes, the republican institutions of their country are merely one of the accidental modes or fashions of government to which the varieties of national taste and genius give birth, having much in common with the pauper-loaded and priest-ridden systems of the old world! To transplant its forms, or apply its principles to any state of continental Europe, would, in their opinion, be a presumptuous and visionary attempt, fit only for the Radicals of England, or the Tugenbundists of Germany! As men shave their heads in one country—their chins in another—and wear both their hair and their beard in a third—so there is a diversity of taste and usage among nations upon the subject of government, which no wise man should disturb! The American loves to make his own laws, assess his own taxes, and appoint his own parsons and magistrates. The Englishman's pleasure is to grumble at the aristocracy, to whom he commits these functions; the Spaniard rejoices in the dominion of his *rey absoluto* and his priests; the Turk is delighted with the bow-string of his sublime Lord, and the conscience of the Russian is satisfied provided his back is well flayed with the knout! All these are equally happy under their several systems! To transfer the institutions of one of these nations, in whole or in part, to any of the others, would unsettle old associations and venerable usages, as Burke sagaciously observes, and be in fact like an attempt to fit the jacket of the Laplander upon the shoulders of the gigantic Patagonian! We assure our readers, that in giving this account of their doctrines, though we cannot quote words or passages, we are not intentionally caricaturing the American reviewers, but describing what we honestly believe to be the scope of their principles; and our opinion is formed after perusing, at one time or another, a considerable portion of their lucubrations. It does indeed rouse our indignation to see them, with such unequalled means of doing good, play false to the cause of mankind, and lend their aid to prop up the most pernicious errors and the worst dogmas of the old world.

'Let him who doubts our statement, try the American reviewers by "any constant question." Let him examine their opinions as to the effect of church establishments, the utility of classical literature as a part of general education, the value of the English unpaid magistracy, and of the technicalities, cumbrousness, and expensiveness of the English law, the advantages of codification, &c. On all these points he will find the reviewers ranging themselves on the side of old opinions, and sailing in the wake of those writers in this country, who are distinguished as the enemies of every rational reform, and the upholders of every

old abuse. Though living in a country where improvement is advancing at the gallop, "on the car of time," they have no faith in the future fortunes of our race, nor indulge in any aspirations after unattained but possible good. Such as man has been, such they think he ever will be, a poor, benighted animal, groping his way from one error to another, the prey of priests, and the victim of tyrants, abusing liberty where he has it, and often more happy as a slave than as a freeman! The weight of their authority, such as it is, is employed to inculcate political maxims, which are shallow and grovelling. Their labors tend to repress true independence of thought, to bring derision on a generous and enlarged philanthropy, and to teach the Americans to undervalue those institutions which constitute their chief glory. Fortunately, the course of things is too strong for the efforts of any knot of literary men. Truth in our days has, like the ocean, ten thousand avenues, and its course can be but little impeded by closing up one or two of them. America will produce men who can appreciate the moral grandeur of her institutions, and when these appear, her literature will become a fountain of light to the world.

'In a literary point of view, the present number is respectable. It contains twelve articles, the last and longest of which is a review of Captain Hall's Travels. We have seen a writer cut up in a more masterly style, but the critic does exert no contemptible degree of skill, in showing up the Captain's prejudice, rashness, and inconsistency, and he has imitated the subject of his criticism in combining the *suaviter in modo* with the *fortiter in re*. So much of the discussion, however, is devoted to special points, that we cannot find a passage fit for quotation. Of the other articles, there are not many calculated to interest readers in this country; but we insert an extract from an article on Modern Greek Literature, for the sake of the information it contains.'

It is plain, from the tenor of this article, that the mind of the writer has been severely exercised by something which he has met with in some preceding number of this journal, but with the aid of the little light which he has thought proper to throw upon the subject, we are rather at a loss to conjecture what particular part of our speculations it is, by which we have been so unfortunate as to give him offence. To the charges of ignorance and dulness, we of course, plead guilty with great cheerfulness. Independently of the general presumption against us, which results from the well-known degeneracy of the race on this side the water, we are quite

aware of our personal incapacity to carry into effect to any considerable extent, our very honest intentions to entertain and instruct our readers. We know, that in both these respects, they are too often compelled to take the will for the deed. We also fully acquit the worthy editor of any intention to caricature or misrepresent our doctrines. His positive denial of any such intention would of course be quite sufficient; independently of which, the honor he has done us by reading the 'casual numbers of our journal that now and then stray into his hands,' or, as he is afterwards pleased to explain himself, by 'perusing at one time or another a considerable portion of our lucubrations,' is an ample guarantee that he bears us no ill-will. When, therefore, we find him asserting that we are 'woefully deficient in intellectual courage—profound and original views—lofty aims—love of truth and mankind—heart—soul—and true American feeling,'—that we 'take upon ourselves from choice a load of prejudice and sophistry,'—'send back to the old world a feeble echo of the false and antiquated doctrines that are or were current there,'—that we 'play false to the cause of man,'—that 'as an organ of opinion for republican America, nothing can be more *pitiful*' than our journal—and finally, that we '*creep* in the train of *our reviewers*,'—with the other *gentillesses* of the same description, which the reader will have met with in the above extract, we are bound to presume that all these pretty compliments are in the nature of confessions, reluctantly extorted by the force of truth from a warm and real friend, and if the manner appear to be somewhat unceremonious, it must be owing to a want of taste in us, and not of good breeding in the Scotsman, who is, of course, thoroughly imbued with the *national politeness* of his country.

But even if we allow to this writer all the credit which he seems disposed to claim for a friendly and respectful feeling towards us, as well as for a strict observance of the forms of civility usual among gentlemen, to which his pretensions are equally well founded; and if we also concede to him the general inferiority of every product of cisatlantic origin to the corresponding one of European, and especially of Scottish growth, we may still venture to intimate that, as respects some of the more serious offences with which he charges us, there may possibly be a mistake in fact. While assuring his readers that he has no intention to caricature us, he candidly admits

that he *cannot quote words and passages* in support of his view of our doctrines. Here, then, is a book, in thirty volumes, lying open before him, and, according to his account, full of the most dangerous and heretical principles, written—within and without—like the roll in Ezekiel, with lamentation and mourning and woe; but when he comes to file his bill of exceptions, he cannot, by his own admission, quote an objectionable passage—no, not so much as a single offensive word. This, we confess, does seem to us a little extraordinary—but let it pass; for we have not room to treat the subject in detail. In defect of evidence to support his charges, our accuser undertakes to bring us to confession, forgetting the humane rule of the common law, which declares that no person shall be held to criminate himself. He proposes, in his own phrase, 'to try us by any constant question,' and accordingly suggests two or three, which we are expected to answer. Independently of the rather inquisitorial character of this method, we must be permitted to remark, that the Scotsman is a little unfortunate in his application of it. Of the problems which he states, all, that are of any importance, have already been solved in this journal, in a manner which would probably be satisfactory to him. As to the unpaid magistracy, and the value of classical literature, they are matters of comparatively trifling consequence, on which, if we recollect rightly, we have not had much occasion to descant: but as respects the weightier subjects of *codification* and an established church, we have repeatedly expressed opinions decidedly in favor of the former, and against the latter, so that we really do not know what this writer means by accusing us of heresy on these points. In treating the question of *codification*, we have not even stated before, what we now honestly confess, that, whatever may be the value of the thing, we heartily detest and despise the name, which, though patronised by the Edinburgh Review and the Scotsman, ought, as we conceive, to be utterly eschewed, with all the other abominable inventions of the same author, by every lover of pure English. Supposing, however, that we had in fact said somewhat less upon the subjects of the established church and codification, than the opposition journals in England habitually do, does not the critic perceive, that our position in these respects is entirely different from theirs? We in America have no church establishment, nor are we embarrassed with 'the technicalities, cumbrousness, and expensiveness of the English law.' We

have given, long ago, the best and most decisive evidence of our sentiments on these points, by simplifying the law, and avoiding altogether the plan of an established church. The battle is fought and won. What merit would there be in railing at the enemy after he is fairly beaten, and has cried quarter? The thing which the Scotsman wishes us to be always *talking* about, we have already *done:* and this, according to his neighbor of the Review, is by far the more important part of the business. He has fallen into a similar error in charging us with a disinclination to *innovate.* We deny that we have ever shown any indisposition to real improvements of any kind; but the Scotsman should remember that we have already attained most of the objects which the friends of liberty in Europe regard as desirable. He tells us himself, that 'our country exemplifies a new and happier order of society, which ought to become a source of light to the world; that if Locke and Sydney were living in our day, they would regard the American government as a beautiful and successful experiment, which has solved difficulties that had perplexed the wisest of men from the beginning of time, and unfolded truths of incalculable value to mankind.' Such is his opinion of our institutions; and, although he has thought proper to add in the same passage, that 'the sages of the North American Review have not the slightest conception of all this,' we can assure him that he is quite mistaken, and that our opinion upon the subject is exactly the same with his. But since he has been pleased to put us to the question, we would venture to ask him in turn, why, if our government be already perfect, we are called upon to encourage innovation? Does not he recollect the old Italian epitaph, *I was well, I wanted to be better, and here I am?* We are well—we do not want to be better—we conceive that the best thing that can happen to us is to remain as we are; and this being the case, we can have no motive for wishing to *innovate.* Does our Scotch friend think that, after reaching the top of the hill, we ought to descend rather than not keep moving? Does he wish us to change for the worse, rather than not change at all? Or does he—as is more probable—only wish to find fault?

Charges, which cannot be supported by words or passages, must of course be of a very loose and general character. When the Scotsman has endeavored to present those which he prefers against us in a shape at all tangible, he has failed of giving them

the least appearance of plausibility. He tells us, for example, that we want *true American feeling*. On this point, we must refer him again to his neighbors of the Edinburgh Review, who, at an early stage in our progress, pronounced that we were 'abundantly national,' and that 'there was no want of patriotic feeling.' The intimation evidently was, that there was a slight, perhaps excusable, excess of this quality; and we think we may affirm, without the danger of being contradicted, that there has been no diminution since. Again, we 'creep in the train of our reviewers.' As a full defence against this count in the indictment, we appeal with confidence to the articles which we have had occasion, at various times, from the commencement of our editorial labors up to the present day, to address to 'our reviewers' in reply to their strictures upon the United States. However feebly executed in other respects, our readers will do us the justice to allow, that they have not exhibited any disposition on our part to truckle to foreign arrogance, or kiss the rod of unjust criticism. We defy the Scotsman to produce a single sentence in which we have shown an inclination to court the favor of the British press, or of any other portion of the British public. We are quite aware, on the contrary, that the tone we have uniformly maintained in this respect, is not fitted to conciliate the good will of our transatlantic brethren; and if this were the object we had in view, we should of course adopt a different one. A few compliments to their national pride—a few sacrifices to their national interest—and we should soon cease to be 'a pitiful organ of republican America.' We have lately seen one of our countrymen raise himself to the rank of 'the highest existing authorities in political economy,' by saying that the British have eight million tons of shipping employed in the coasting trade. Had he carried his calculation up to ten or twelve millions, he would have equalled the fame of Adam Smith. For ourselves, we look exclusively for encouragement and support to the home market. We court no favor from foreigners, and our only ambition is to merit the approval of our own intelligent countrymen. Far from creeping in the train of 'our reviewers,' we have always regarded it as being, in the present state of the intercourse between the two countries, one of the most interesting branches of our editorial duty, to repel the attacks, and to guard our fellow-citizens against the misrepresentations of the British journals; and we have uniformly acted, and shall continue to act—as far as occasion may appear to require—on this principle.

As the charges of the Scotsman, whenever they assume a tangible shape, are thus palpably, and even ludicrously inconsistent with fact, the general accusation which he deduces from them of lukewarmness in the cause of liberty and a disposition to sustain exploded errors and abuses, of course falls of itself. The truth is, that it is very difficult for us in this country to give satisfaction to our transatlantic brethren, whatever bias we may happen to take. Nothing will answer but direct homage to their grossest prejudices, and even then, we must expect to be told that their approbation of us is merely the result of the *national politeness*. The reproach which has heretofore been generally made against the American press, is that of a tendency to exaggeration in the expression of sentiments favorable to liberty. We have been told that we confounded monarchy with slavery, that our notions of government were narrow and intolerant, and that we could see nothing good or great out of the circle of our own institutions. We have been charged, in short, with being *ultra-democratic* in our political opinions, and this heresy is undoubtedly much more common among us than the opposite one. But if it happen by accident that a journal which appears at long intervals of time, and is or ought to be prepared with more reflection, expresses the same opinions in a rather more deliberate form than the rest, our censors forthwith attack us with 'redoubled rage,' for the want of the same quality, of which we were before reproached with the excess. So delicate is their taste, that it is next to impossible not to offend them in one way or another. If violent, we are blind and bigoted democrats—if considerate, we are lukewarm in the cause of liberty—at all events, we are always in the wrong. This kind of criticism is so easily seen through, that it would be superfluous to expose the injustice of it. We yield to none, as we have already remarked, in attachment to liberty; but we are also aware, with every body else of the least reflection, that liberty, like other good things, may be abused, and that the name is often assumed by false pretenders for unworthy purposes. We may remark here, since the occasion presents itself, that we cannot agree in all the principles that are set forth from time to time upon this subject on respectable authority in the mother country. We are told for example, in the article of the Edinburgh Review, upon the prose writings of Milton, to which we have once before alluded, that liberty, like a certain beautiful fairy in the poem of Ariosto, sometimes

'puts on the form of a hateful reptile—that she grovels, and hisses, and stings; but that we must admire and cherish her in this degraded and frightful shape, if we mean to be rewarded by her in the time of her beauty and her glory.' All this means, if it mean any thing, that the real friends of liberty are not only bound to approve, to concur in, and to sympathise with the rational and well-directed exertions of the honest and intelligent laborers in her cause, but also to applaud and aid every charlatan, who chooses for any purpose, however vile, to wear her mask. But a few moments since we were invited, as friends of liberty, to grovel at the footstool of Bonaparte, and we are now called upon, always in the same character, to take counsel with Robespierre—to yell with Marat for two hundred thousand heads—to listen with delighted attention to the 'orator of the human race,' and to bow with reverential awe at the shrine of the unveiled Goddess of Reason. However highly we may value the approbation of the Edinburgh Review and the Scotsman, we have no hesitation in saying distinctly, that we shall not purchase it at such a price; and since these writers express their opinion with so much freedom upon our conduct, we would ask them in turn how it happens that they do not set us the example as well as give us the precept? How happens it that they pay no court themselves to their goddess, in her grovelling, hissing, stinging shape? Why is it that we do not find them clamoring with Hunt and Cobbett—blaspheming with Carlile,—and outraging decency with Mary Woolstonecraft and Fanny Wright? All this and more they are bound to do on their own system, but of all this we see little or nothing in their writings, to judge at least from the 'casual numbers of the Scotsman that accidentally stray into our hands,' and from 'perusing at one time or another a considerable portion of the lucubrations' of the Edinburgh Reviewers. The simple truth appears at last to be, that at the very moment when they are ridiculing and abusing us for lukewarmness in the cause of liberty, their own language is much less liberal than ours. So much for the consistency and decency of these would-be dictators in the republic of letters. As respects the system they recommend to us, and the allegory by which it is illustrated, we may add, that they involve a mistake in fact, which was long ago pointed out by the great English apostle of the rights of man. The degraded and frightful shape, which in days of trouble has often appeared under the

name and character of *Liberty*, is not, as we are told by Milton, the sweet mountain-nymph herself in disguise, but a ghastly counterfeit of her charming appearance, animated by the foul spirit of *License*—a malignant demon, tormented by a continual thirst for human blood. Like the Vampyre Bride in Goethe's poem, this loathsome figure puts on specious looks, and uses honied words—wears perhaps upon her brow the golden round of military triumph, or the red cap of deliverance from bondage; but her only delight is to suck out the life of her victims. Her touch is fatal; there is no remedy for it; those who take her to their bosoms shall surely die.

ART. III.—*An Act to Incorporate the New-England Asylum for the Blind. Approved, March 2d*, 1829.

There is nothing in which the Moderns surpass the Ancients more conspicuously than in their noble provisions for the relief of indigence and distress. The public policy of the Ancients seems to have embraced only whatever might promote the aggrandizement or the direct prosperity of the state, and to have cared little for those unfortunate beings, who from disease or incapacity of any kind, were disqualified from contributing to this. The beneficent influence of Christianity, however, combined with the general tendency of our social institutions, has led to the recognition of rights in the individual as sacred as those of the community, and has suggested manifold provisions for personal comfort and happiness.

The spirit of benevolence, thus widely, and oftentimes judiciously exerted, continued until a very recent period, however, strangely insensible to the claims of a large class of objects, to whom nature, and no misconduct or imprudence of their own, as is too often the case with the subjects of public charity, had denied some of the most estimable faculties of man. No suitable institutions, until the close of the last century, have been provided for the nurture of the deaf and dumb, or the blind. Immured within hospitals and alms-houses, like so many lunatics or incurables, they have been delivered over, if they escaped the physical, to all the moral contagion too frequently incident to such abodes, and have thus been involved in a mental darkness far more deplorable than their bodily one.

This injudicious treatment has resulted from the erroneous principle of viewing these unfortunate beings as an absolute burthen on the public, utterly incapable of contributing to their own subsistence, or of ministering in any degree to their own intellectual wants. Instead, however, of being degraded by such unworthy views, they should have been regarded as, what in truth they are, possessed of corporeal and mental capacities perfectly competent, under proper management, to the production of the most useful results. If wisdom from one entrance was quite shut out, other avenues for its admission still remained to be opened.

In order to give effective aid to persons in this predicament, it is necessary to place ourselves as far as possible in their peculiar situation; to consider to what faculties this insulated condition is on the whole most favorable, and in what direction they can be exercised with the best chance of success. Without such foresight, all our endeavors to aid them will only put them upon efforts above their strength, and result in serious mortification.

The blind, from the cheerful ways of men cut off, are necessarily excluded from the busy theatre of human action. Their infirmity, however, which consigns them to darkness, and often to solitude, would seem favorable to contemplative habits, and to the pursuits of abstract science and pure speculation. Undisturbed by external objects, the mind necessarily turns within and concentrates its ideas on any point of investigation with greater intensity and perseverance. It is no uncommon thing, therefore, to find persons setting apart the silent hours of the evening for the purpose of composition, or other purely intellectual exercise. Malebranche, when he wished to think intensely, used to close his shutters in the day-time, excluding every ray of light; and hence, Democritus is said to have put out his eyes in order that he might philosophize the better; a story, it is true, the veracity of which Cicero, who relates it, is prudent enough not to vouch for.

Blindness must also be exceedingly favorable to the discipline of the memory. Whoever has had the misfortune, from any derangement of the organ, to be compelled to derive his knowledge of books less from the eye than the ear, will feel the truth of this. The difficulty of recalling what has once escaped, of reverting to, or dwelling on the passages read aloud by another, compels the hearer to give undivided atten-

tion to the subject, and to impress it more forcibly on his own mind by subsequent and methodical reflection. Instances of the cultivation of this faculty to an extraordinary extent, therefore, have been witnessed among the blind, and it has been most advantageously applied to the pursuit of abstract science, especially mathematics.

One of the most eminent illustrations of our preceding remarks is the well-known history of Saunderson, who having been deprived in his infancy, not only of sight but of the organ itself, contrived to become so well acquainted with the Greek tongue as to read the works of the ancient mathematicians in the original. He made such advances in the higher departments of the science, that he was appointed, though not matriculated at the university, to fill the chair which a short time previous had been occupied by Sir Isaac Newton at Cambridge. The lectures of this blind professor on the most abstruse points of the Newtonian philosophy, and especially on optics, naturally filled his audience with admiration; and the perspicuity with which he communicated his ideas is said to have been unequalled. He was enabled, by the force of his memory, to perform many long operations in arithmetic, and to carry in his mind the most complex geometrical figures. As, however, it became necessary to supply the want of vision by some symbols which might be sensible to the touch, he contrived a table in which pins, whose value was determined principally by their relative position to each other, served him instead of figures; while for his diagrams he employed pegs, inserted at the requisite angles to each other, representing the lines by threads drawn around them. He was so expert in his use of these materials, that when performing his calculations he would change the position of the pins with nearly the same facility with which another person could indite figures; and when disturbed in an operation, would afterwards resume it again, ascertaining the posture in which he had left it by passing his hand carefully over the table. To such shifts and inventions does human ingenuity resort when stimulated by the thirst of knowledge; as the plant when thrown into shade on one side, sends forth its branches eagerly in that direction where the light is permitted to fall upon it.

In like manner, the celebrated mathematician Euler continued, for many years after he became blind, to indite and publish the results of his scientific labors, and at the time of his

decease left nearly a hundred memoirs ready for the press, most of which have since been given to the world. An example of diligence equally indefatigable, though turned in a different channel, occurs in our contemporary Huber, who has contributed one of the most delightful volumes within the compass of natural history, and who, if he employed the eyes of another, guided them in their investigation to the right results, by the light of his own mind.

Blindness would seem to be propitious also to the exercise of the inventive powers. Hence poetry, from the time of Thamyris and blind Mæonides down to the Welch harper and the ballad-grinder of our day, has been assigned as the peculiar province of those bereft of vision;

> As the wakeful bird
> Sings darkling, and in shadiest covert hid,
> Tunes her nocturnal note.

The greatest epic poem of antiquity was probably, as that of the moderns was certainly, composed in darkness. It is easy, however, to understand how the man, who has once seen, can recall and embody forth in his conceptions new combinations of material beauty; but it would seem scarcely possible, that one born blind, excluded from all acquaintance with 'colored nature,' as Condillac finely styles it, should excel in descriptive poetry. Yet there are eminent examples of this; among others, that of Blacklock, whose verses abound in the most agreeable and picturesque images. He could have formed no other idea of colors, however, as his biographer and countryman Mackenzie justly remarks, than was conveyed by their moral associations, the source indeed of most of the pleasures we derive from descriptive poetry. It was thus that he studied the variegated aspect of nature, and read in it the successive revolutions of the seasons, their freshness, their prime, and decay.

Mons. Guillié in an interesting Essay on the Instruction of the Blind, to which we shall have occasion repeatedly to refer, quotes an example of the association of ideas in regard to colors, which occurred in one of his own pupils, who in reciting the well-known passage in Horace, '*rubente dexterâ sacras jaculatus arces*,' translated the two first words by 'fiery,' or 'burning right hand.' On being requested to render it literally, he called it 'red right hand;' and gave as his reason for his former version, that he could form no positive conception of a

red color; but that as fire was said to be red, he connected the idea of heat with this color, and had therefore interpreted the wrath of Jupiter demolishing town and tower, by the epithet, 'fiery or burning;' for 'when people are angry,' he added, 'they are hot, and when they are hot, they must of course be red.' He certainly seems to have formed a much more accurate notion of red, than Locke's blind man.

But while a gift for poetry belongs only to the inspired few, and while many have neither taste nor talent for mathematical or speculative science, it is a consolation to reflect that the humblest individual, who is destitute of sight, may so far supply this deficiency by the perfection of the other senses, as by their aid to attain a considerable degree of intellectual culture, as well as a familiarity with some of the most useful mechanic arts. It will be easier to conceive to what extent the perceptions of touch and hearing may be refined, if we reflect how far that of sight is sharpened by exclusive reliance on it, in certain situations. Thus the mariner descries objects at night, and at a distance upon the ocean, altogether imperceptible to the unpractised eye of a landsman. And the North American Indian steers his course undeviatingly through the trackless wilderness, guided only by such signs as escape the eye of the most inquisitive white man.

In like manner the senses of hearing and feeling are capable of attaining such a degree of perfection in a blind person, that by them alone he can distinguish his various acquaintance and even the presence of persons whom he has but rarely met before,—the size of the apartment, and the general locality of the spots in which he may happen to be,—and guide himself safely across the most solitary districts, and amid the throng of towns. Dr. Bew, in a paper in the Manchester Collection of Memoirs, gives an account of a blind man of his acquaintance in Derbyshire, who was much used as a guide for travellers in the night over certain intricate roads, and particularly when the tracks were covered with snow. This same man was afterwards employed as a projector and surveyor of roads in that county. We well remember a blind man in the neighboring town of Salem, who officiated some twenty years since as the town crier, when that functionary performed many of the advertising duties now usurped by the newspaper, making his diurnal round, and stopping with great precision at every corner, trivium or quadrivium, to chime his 'melodious twang.'

Yet this feat, the familiarity of which prevented it from occasioning any surprise, could have resulted only from the nicest observation of the undulations of the ground, or by an attention to the currents of air, or the different sound of the voice, or other noises in these openings, signs altogether lost upon the man of eyes.

Mons. Guillié mentions several apparently well-attested anecdotes of blind persons, who had the power of discriminating colors by the touch. One of the individuals noticed by him, a Dutchman, was so expert in this way, that he was sure to come off conqueror at the card-table by the knowledge which he thus obtained of his adversary's hand, whenever it came to his turn to deal. This power of discrimination of colors, which seems to be a gift only of a very few of the finer-fingered gentry, must be founded on the different consistency or smoothness of the ingredients used in the various dyes. A more certain method of ascertaining these colors, that of tasting or touching them with the tongue, is frequently resorted to by the blind, who by this means often distinguish between those analogous colors, as black and dark blue, red and pink, which, having the greatest apparent affinity, not unfrequently deceive the eye.

Diderot, in an ingenious letter on the Blind, *á l'usage de ceux qui voient*, has given a circumstantial narration of his visit to a blind man at Puisseaux, the son of a Professor in the University of Paris, and well known in his day from the various accomplishments and manual dexterity which he exhibited, remarkable in a person in his situation. Being asked what notion he had formed of an eye, he replied, 'I conceive it to be an organ on which the air produces the same effect, as this staff on my hand. If when you are looking at an object, I should interpose any thing between your eyes and that object, it would prevent you from seeing it. And I am in the same predicament when I seek one thing with my staff and come across another.' An explanation, says Diderot, as lucid as any which could be given by Descartes, who, it is singular, attempts, in his Dioptrics, to explain the analogy between the senses of feeling and seeing, by figures of men blindfolded, groping their way with staffs in their hands. This same intelligent personage became so familiar with the properties of touch that he seems to have accounted them almost equally valuable with those of vision. On being interrogated if he felt a great desire to have eyes, he answered, 'Were it not for the mere gratification of curiosity, I think I

should do as well to wish for long arms. It seems to me that my hands would inform me better of what is going on in the moon, than your eyes and telescopes; and then the eyes lose the power of vision more readily than the hands that of feeling. It would be better to perfect the organ which I have, than to bestow on me that which I have not.'

Indeed the 'geometric sense' of touch, as Buffon terms it, as far as it reaches, is more faithful, and conveys, oftentimes, a more satisfactory idea of external forms than the eye itself. The great defect is, that its range is necessarily so limited. It is told of Saunderson, that he, on one occasion, detected by his finger a counterfeit coin, which had deceived the eye of a connoisseur. We are hardly aware how much of our dexterity in the use of the eye arises from incessant practice. Those who have been relieved from blindness, at an advanced or even early period of life, have been found frequently to recur to the old and more familiar sense of touch, in preference to the sight. The celebrated English anatomist, Cheselden, mentions several illustrations of this fact, in an account given by him of a blind boy, whom he had successfully couched for cataracts, at the age of fourteen. It was long before the youth could discriminate by his eye between his old companions, the family cat and dog, dissimilar as such animals appear to us in color and conformation. Being ashamed to ask the oft-repeated question, he was observed one day to pass his hand carefully over the cat, and then, looking at her steadfastly, to exclaim, 'So, puss, I shall know you another time.' It is more natural that he should have been deceived by the illusory art of painting; and it was long before he could comprehend, that the objects depicted did not possess the same relief on the canvass as in nature. He inquired, 'Which is the lying sense here, the sight or the touch?'

The faculty of hearing would seem susceptible of a similar refinement with that of seeing. To prove this without going into further detail, it is only necessary to observe that much the larger proportion of blind persons are more or less proficients in music, and that in some of the institutions for their education, as that in Paris for instance, *all* the pupils are instructed in this delightful art. The gift of a natural ear for melody, therefore, deemed comparatively rare with the *clairvoyans*, would seem to exist so far in every individual as to be capable, by a suitable cultivation, of affording a high degree of relish, at least to himself.

As in order to a successful education of the blind, it becomes necessary to understand what are the faculties, intellectual and corporeal, to the developement and exercise of which their peculiar condition is best adapted, so it is equally necessary to understand how far, and in what manner, their moral constitution is likely to be affected by the insulated position in which they are placed. The blind man, shut up within the precincts of his own microcosm, is subjected to influences of a very different complexion from the bulk of mankind, inasmuch as each of the senses is best fitted to the introduction of a certain class of ideas into the mind, and he is deprived of that one through which the rest of his species receive by far the greatest number of theirs. Thus it will be readily understood that his notions of modesty and delicacy may a good deal differ from those of the world at large. The blind man of Puisseaux confessed that he could not comprehend why it should be reckoned improper to expose one part of the person rather than another. Indeed the conventional rules, so necessarily adopted in society in this relation, might seem, in a great degree, superfluous in a blind community.

The blind man would seem also to be less likely to be endowed with the degree of sensibility usual with those who enjoy the blessing of sight. It is difficult to say how much of our early education depends on the looks, the frowns, the smiles, the tears, the example, in fact, of those placed over and around us. From all this, the blind child is necessarily excluded. These, however, are the great sources of sympathy. We feel little for the joys or the sorrows which we do not witness. 'Out of sight, out of mind,' says the old proverb. Hence people are so ready to turn away from distress, which they cannot, or their avarice will not suffer them to relieve. Hence, too, persons, whose compassionate hearts would bleed at the infliction of any cruelty on so large an animal as a horse or a dog, for example, will crush without concern a wilderness of insects, whose delicate organization, and whose bodily agonies are imperceptible to the naked eye. The slightest injury occurring in our own presence, affects us infinitely more than the tidings of the most murderous battle, or the sack of the most populous and flourishing city at the extremity of the globe. Yet such, without much exaggeration, is the relative position of the blind, removed by their infirmity at a distance from the world, from the daily exhibition of those mingled scenes of

grief and gladness, which have their most important uses, perhaps, in calling forth our sympathies for our fellow creatures.

It has been affirmed that the situation of the blind is unpropitious to religious sentiment. They are necessarily insensible to the grandeur of the spectacle, which forces itself upon our senses every day of our existence. The magnificent map of the heavens, with

> 'Every star
> Which the clear concave of a winter's night
> Pours on the eye,'

is not unrolled for them. The revolutions of the seasons, with all their beautiful varieties of form and color, and whatever glories of the creation lift the soul in wonder and gratitude to the Creator, are not for them. Their world is circumscribed by the little circle which they can span with their own arms. All beyond has for them no real existence. This seems to have passed within the mind of the mathematician Saunderson, whom we have more than once referred to, and whose notions of a Deity would seem to have been, to the last, exceedingly vague and unsettled. The clergyman, who visited him in his latter hours, endeavored to impress upon him the evidence of a God, as afforded by the astonishing mechanism of the universe. 'Alas!' said the dying philosopher, 'I have been condemned to pass my life in darkness, and you speak to me of prodigies which I cannot comprehend, and which can only be felt by you, and those who see like you!' When reminded of the faith of Newton, Leibnitz, and Clarke, minds from whom he had drunk so deeply of instruction, and for whom he entertained the profoundest veneration, he remarked; 'The testimony of Newton is not so strong for me, as that of Nature was for him; Newton believed on the word of God himself, while I am reduced to believe on that of Newton.' He expired with this ejaculation on his lips, 'God of Newton, have mercy on me!'

These, however, may be considered as the peevish ebullitions of a naturally skeptical and somewhat disappointed spirit, impatient of an infirmity which obstructed, as he conceived, his advancement in the career of science to which he had so zealously devoted himself. It was in allusion to this, undoubtedly, that he depicted his life as having been 'one long desire and continued privation.'

It is far more reasonable to believe that there are certain

peculiarities in the condition of the blind, which more than counterbalance the unpropitious circumstances above described, and which have a decided tendency to awaken devotional sentiment in their minds. They are the subjects of a grievous calamity, which, as in all such cases, naturally disposes the heart to sober reflection, and, when permanent and irremediable, to passive resignation. Their situation necessarily excludes most of those temptations, which so sorely beset us in the world—those tumultuous passions which, in the general rivalry, divide man from man, and embitter the sweet cup of social life—those sordid appetites which degrade us to the level of the brutes. They are subjected, on the contrary, to the most healthful influences. Their occupations are of a tranquil, and, oftentimes, of a purely intellectual character. Their pleasures are derived from the endearments of domestic intercourse; and the attentions almost always conceded to persons in their dependent condition, must necessarily beget a reciprocal kindliness of feeling in their own bosoms. In short, the uniform tenor of their lives is such, as naturally to dispose them to resignation, serenity, and cheerfulness; and accordingly, as far as our own experience goes, these have usually been the characteristics of the blind.

Indeed the cheerfulness, almost universally incident to persons deprived of sight, leads us to consider blindness as, on the whole, a less calamity than deafness. The deaf man is continually exposed to the sight of pleasures, and to society, in which he can take no part. He is the guest at a banquet, of which he is not permitted to partake, the spectator at a theatre where he cannot comprehend a syllable. If the blind man is excluded from sources of enjoyment equally important, he has at least the advantage of not perceiving and not even comprehending what he has lost. It may be added, that perhaps the greatest privation consequent on blindness, is the inability to read, as that on deafness is the loss of the pleasures of society. Now the eyes of another may be made in a great degree to supply this defect of the blind man, while no art can afford a corresponding substitute to the deaf for the privations to which he is doomed in social intercourse. He cannot hear with the ears of another. As, however, it is undeniable that blindness makes one more dependent than deafness, we may be content with the conclusion that the former would be the most eligible for the rich, and the latter for the poor. Our remarks will be

understood as applying to those only who are wholly destitute of the faculties of sight and hearing. A person afflicted only with a partial derangement or infirmity of vision, is placed in the same tantalizing predicament above described of the deaf, and is consequently found to be usually of a far more impatient and irritable temperament, and consequently less happy than the totally blind. With all this, we doubt, whether there be one of our readers, even should he assent to the general truth of our remarks, who would not infinitely prefer to incur partial to total blindness, and deafness to either. Such is the prejudice in favor of eyes.

Patience, perseverance, habits of industry, and above all, a craving appetite for knowledge, are sufficiently common to be considered as characteristics of the blind, and have tended greatly to facilitate their education, which must otherwise prove exceedingly tedious, and indeed doubtful as to its results, considering the formidable character of the obstacles to be encountered. A curious instance of perseverance in overcoming such obstacles occurred at Paris, when the institutions for the Deaf and Dumb and for the Blind were assembled under the same roof in the convent of the Celestines. The pupils of the two seminaries, notwithstanding the apparently insurmountable barrier interposed between them by their respective infirmities, contrived to open a communication with each other, which they carried on with the greatest vivacity.

It was probably the consideration of those moral qualities, as well as of the capacity for improvement, which we have described as belonging to the blind, which induced the benevolent Haüy, in conjunction with the Philanthropic Society of Paris, to open there in 1784, the first regular seminary for their education ever attempted. This institution underwent several modifications, not for the better, during the revolutionary period which followed, until in 1816, it was placed on the respectable basis on which it now exists under the direction of Dr. Guillié, whose untiring exertions have been blessed with the most beneficial results.

We shall give a brief view of the course of education pursued under his direction, as exhibited by him in the valuable treatise to which we have already referred, occasionally glancing at the method adopted in the corresponding institution at Edinburgh.

The fundamental object proposed in every scheme of educa-

tion for the blind, is to direct the attention of the pupil to those studies and mechanic arts, which he will be able afterwards to pursue by means of his own exertions and resources, without any external aid. The sense of touch is the one therefore almost exclusively relied on. The fingers are the eyes of the blind. They are taught to read in Paris, by feeling the surface of metallic types, and in Edinburgh by means of letters raised on a blank leaf of paper. If they are previously acquainted with spelling, which may be easily taught them before entering the institution, they learn to discriminate the several letters with great facility. Their perceptions get to be so fine by practice, that they can discern even the finest print, and when the fingers fail them, readily distinguish it by applying the tongue. A similar method is employed for instructing them in figures, the notation table invented by Saunderson, and once used in the Paris seminary, having been abandoned as less simple and obvious, although his symbols for the representation of geometrical diagrams are still retained.

As it would be labor lost to learn the art of reading, without having books to read, various attempts have been made to supply this desideratum. The first hint of the form, now adopted for the impression of these books, was suggested by the appearance exhibited on the reverse side of a copy as removed fresh from the printing-press. In imitation of this, a leaf of paper of a firm texture is forcibly impressed with types unstained by ink, and larger than the ordinary size, until a sufficiently bold relief has been obtained to enable the blind person to distinguish the characters by the touch. The French have adopted the Italian hand, or one very like it, for the fashion of the letters, while the Scotch have invented one more angular and rectilinear, which, besides the advantage of greater compactness, is found better suited to accurate discrimination by the touch, than smooth and extended curves and circles.

Several important works have been already printed on this plan, viz.—a portion of the Scriptures, catechisms, and offices for daily prayer, grammars in the Greek, Latin, French, English, Italian, and Spanish languages, a Latin *selectæ*, a Geography, a course of General History, a selection from English poets and prose-writers, a course of Literature, with a compilation of the choicest specimens of French eloquence. With all this, the art of printing for the blind is still in its infancy. The characters are so unwieldy, and the leaves

(which cannot be printed on the reverse side, as this would flatten the letters upon the other), are necessarily so numerous as to make the volume exceedingly bulky, and of course expensive. The Gospel of St. John, for example, expands into three large octavo volumes. Some further improvement must occur, therefore, before the invention can become extensively useful. There can be no reason to doubt of such a result eventually, for it is only by long and repeated experiment, that the art of printing in the usual way, and every other art, indeed, has been brought to its present perfection. Perhaps some mode may be adopted like that of stenography, which, although encumbering the learner with some additional difficulties at first, may abundantly compensate him in the condensed forms, and consequently cheaper and more numerous publications which could be afforded by it. Perhaps ink, or some other material of greater consistency than that ordinarily used in printing, may be devised, which, when communicated by the type to the paper, will leave a character sufficiently raised to be distinguished by the touch. We have known a blind person able to decypher the characters in a piece of music, to which the ink had been imparted more liberally than usual. In the mean time, what has been already done, has conferred a service on the blind, which we, who become insensible from the very prodigality of our blessings, cannot rightly estimate. The glimmering of the taper, which is lost in the blaze of day, is sufficient to guide the steps of the wanderer in darkness. The unsealed volume of Scripture will furnish him with the best sources of consolation under every privation; the various grammars are so many keys with which to unlock the stores of knowledge, that he may enrich himself with in after life; and the selections from the most beautiful portions of elegant literature will afford him a permanent source of recreation and delight.

One method used for instruction in writing, is to direct the pencil or stylus in a groove cut in the fashion of the different letters. Other modes, however, too complex for description here, are resorted to, by which the blind person is enabled not only to write, but to read what he has thus traced. A portable writing-case for this purpose has also been invented by one of the blind, who, it is observed, are the most ingenious in supplying, as they are best acquainted with, their own wants. A very simple method of epistolary correspondence, by means of a

string-alphabet, as it is called, consisting of a cord or ribbon, in which knots of various dimensions represent certain classes of letters, has been devised by two blind men at Edinburgh. This contrivance, which is so simple that it can be acquired in an hour's time by the most ordinary capacity, is asserted to have the power of conveying ideas with equal precision with the pen. A blind lady of our acquaintance, however, whose fine understanding and temper have enabled her to surmount many of the difficulties of her situation, after a trial of this invention, gives the preference to the mode usually adopted by her of pricking the letters on the paper with a pin; an operation which she performs with astonishing rapidity, and which, in addition to the advantage possessed by the string-alphabet, of being legible by the touch, answers more completely the purposes of epistolary correspondence, since it may be readily interpreted by any one, on being held up to the light.

The scheme of instruction at the institution for the blind in Paris, comprehends geography, history, the Greek and Latin, together with the French, Italian, and English languages, arithmetic, and the higher branches of mathematics, music, and some of the most useful mechanic arts. For mathematics, the pupils appear to discover a natural aptitude; many of them attaining such proficiency as not only to profit by the public lectures of the most eminent professors in the sciences, but to carry away the highest prizes in the lyceums in a competition with those who possess the advantage of sight. In music, as we have before remarked, they all make greater or less proficiency. They are especially instructed in the organ, which, from its frequency in the churches, affords one of the most obvious means of obtaining a livelihood.

The method of tuition adopted, is that of mutual instruction. The blind are ascertained to learn most easily and expeditiously from those in the same condition with themselves. Two male teachers, with one female, are in this way found adequate to the superintendence of eighty scholars, which, considering the obstacles to be encountered, must be admitted to be a small apparatus for the production of such extensive results.

In teaching them the mechanic arts, two principles appear to be kept in view, namely, to select such for each individual respectively, as may be best adapted to his future residence and destination; the trades, for example, most suitable for a sea-port, being those least so for the country, and *vice versa*.

Secondly, to confine their attention to such occupations as from their nature are most accessible to, and which can be most perfectly attained by persons in their situation. It is absurd to multiply obstacles from the mere vanity of conquering them.

Printing is an art for which the blind show particular talent, going through all the processes of composing, serving the press, distributing the types, &c. with the same accuracy with those who can see. Indeed much of this mechanical occupation with the *clair-voyans* (we are in want of some such compendious phrase in our language) appears to be the result rather of habit, than any exercise of the eye. The blind print all the books for their own use. They are taught also to spin, to knit, in which last operation they are extremely ready, knitting very finely, with open work, &c., and are much employed by the Parisian hosiers in the manufacture of elastic vests, shirts, and petticoats. They make purses delicately embroidered with figures of animals and flowers, whose various tints are selected with perfect propriety. The fingers of the females are observed to be particularly adapted to this nicer sort of work, from their superior delicacy, ordinarily, to those of men. They are employed also in manufacturing girths, in netting in all its branches, in making shoes of list, plush, cloth, colored skin, &c, and list carpets, of which a vast number is annually disposed of. Weaving is particularly adapted to the blind, who perform all the requisite manipulation without any other assistance but that of setting up the warp. They manufacture whips, straw bottoms for chairs, coarse straw hats, rope, cord, pack-thread, baskets, straw, rush, and plush mats, which are very saleable in France.

The articles manufactured in the Asylum for the Blind in Scotland, are somewhat different, and as they show for what an extensive variety of occupations they may be qualified in despite of their infirmity, we will take the liberty, at the hazard of being somewhat tedious, of quoting the catalogue of them exhibited in one of their advertisements. The articles offered for sale consist of cotton and linen cloths, ticked and striped Hollands, towelling and diapers, worsted net for fruit trees; hair-cloth, hair-mats, and hair-ropes, basket-work of every description; hair, India hemp, and straw door-mats, saddle-girths, rope and twines of all kinds, netting for sheep-pens, garden and onion twine-nets, fishing-nets, bee-hives, mattresses and cushions, feather-beds, bolsters and pillows; mattresses

and beds of every description cleaned and repaired. The labors in this department are performed by the boys. The girls are employed in sewing, knitting stockings, spinning, making fine banker's twine,—and various works, besides, usually executed by well-educated females.

Such is the emulation of the blind, according to Dr. Guillié, in the institution of Paris, that hitherto there has been no necessity of stimulating their exertions by the usual motives of reward or punishment. Delighted with their sensible progress in vanquishing the difficulties incident to their condition, they are content if they can but place themselves on a level with the more fortunate of their fellow-creatures. And it is observed that many, who in the solitude of their own homes, have failed in their attempts to learn some of the arts taught in this institution, have acquired a knowledge of them with great alacrity, when cheered by the sympathy of individuals involved in the same calamity with themselves, and with whom of course they could compete with equal probability of success.

The example of Paris has been followed in the principal cities in most of the other countries of Europe;—in England, Scotland, Russia, Prussia, Austria, Switzerland, Holland, and Denmark. These establishments, which are conducted on the same general principles, have adopted a plan of education more or less comprehensive, some of them, like those of Paris and Edinburgh, involving the higher branches of intellectual education, and others, as in London and Liverpool, confining themselves chiefly to practical arts. The results, however, have been in the highest degree cheering to the philanthropist, in the light thus poured in upon minds to which all the usual avenues were sealed up,—in the opportunity afforded them of developing those latent powers, which had been hitherto wasted in inaction,—and in the happiness thus imparted to an unfortunate class of beings, who now, for the first time, were permitted to assume their proper station in society, and instead of encumbering, to contribute by their own exertions to the general prosperity.

We rejoice that the inhabitants of our own city have been the first to give an example of such beneficent institutions in the New World. And it is principally with the view of directing the attention of the public towards it, that we have gone into a review of what has been effected in this way in Europe. The credit of having first suggested the undertaking here is

due to our townsman, Dr. John D. Fisher, through whose exertions aided by those of several other benevolent individuals, the subject was brought before the Legislature of this State; and an Act of Incorporation was granted to the petitioners, bearing date March 2d, 1829, authorizing them, under the title of the 'New-England Asylum for the Blind,' to hold property, receive donations and bequests, and to exercise the other functions usually appertaining to similar corporations.

A resolve was subsequently passed, during the same session, requiring the selectmen of the several towns throughout the Commonwealth, to make returns of the number of blind inhabitants, with their ages, periods of blindness, personal condition, &c. By far the larger proportion of these functionaries, however, with a degree of apathy, which does them very little credit, paid no attention whatever to this requisition. With the aid of such as did comply with it, and by means of circulars addressed to the clergymen of the various parishes, advices have been received from one hundred and forty-one towns, comprising somewhat less than half of the whole number within the State. From this imperfect estimate it would appear, that the number of blind persons in these towns amounts to two hundred and forty-three, of whom more than one fifth are under thirty years of age, which period is assigned as the limit within which they cannot fail of receiving all the benefit to be derived from the system of instruction pursued in the institutions for the blind.

The proportion of the blind to our whole population, as founded on the above estimate, is somewhat higher than that established by Zeune for the corresponding latitudes in Europe, where blindness decreases in advancing from the equator to the poles, it being computed in Egypt at the rate of one to one hundred, and in Norway of one to one thousand, which last is conformable to ours.

Assuming the preceding estimate as the basis, it will appear that there are about five hundred blind persons in the State of Massachusetts at the present moment; and adopting the census of 1820, there could not at that time, according to the same rate, be less than sixteen hundred and fifty in all New-England, one fifth being under thirty years of age,—a number, which as the blind are usually retired from public observation, far exceeds what might be conceived on a cursory inspection.

From the returns it would appear that a large proportion of

the blind in Massachusetts are in humble circumstances; and a still larger proportion of those in years, indigent or paupers. This is imputable to their having learnt no trade or profession in their youth. So that, when deprived of their natural guardians, they have necessarily become a charge upon the public.

Since the year 1825, an appropriation has been continued by the Legislature for the purpose of maintaining a certain number of pupils at the Asylum for the Deaf and Dumb at Hartford. A resolve was obtained during the last session of the General Court, authorizing the Governor to pay over to the Asylum for the Blind whatever balance of the sum, thus appropriated, might remain in the Treasury unexpended at the end of the current year; and the same with every subsequent year to which the grant extended, unless otherwise advised. Seven hundred dollars only have been realized as the balance of the past year, a sum obviously inadequate to the production of any important result, and far inferior indeed to what had been anticipated by the friends of the resolve. On the whole, we are inclined to doubt, whether this will be found the most suitable mode of creating resources for the Asylum. Although in fact it disposes only of the superfluity, it has the appearance of subtracting from the positive revenues of the Deaf and Dumb, an institution of equal merit and claims with any other whatever. The Asylum for the Blind is an establishment of too much importance to be left thus dependent on a precarious contingent, and is worthy, were it only in an economical point of view, of being placed by the State on some more secure and ample basis.

As it is, the want of funds opposes a sensible obstruction to its progress. The pressure of the times has made the present moment exceedingly unfavorable to personal solicitation, although so much has been effected in this way, through the liberality of a few individuals, that, as we understand, preparations are now making for procuring the requisite instructers and apparatus, on a moderate and somewhat reduced scale.

As to the comprehensiveness of the scheme of education to be pursued at the Asylum, whether it shall embrace intellectual culture, or be confined simply to the mechanic arts, this must, of course, be ultimately determined by the extent of its resources. We trust, however, it will be enabled to adopt the former arrangement, at least so far as to afford the pupils an acquaintance with the elements of the more popular sciences. There is such a diffusion of liberal knowledge among all classes in this

country, that if the blind are suffered to go, without any tincture of it, from the Institution, they will always, whatever be the skill acquired by them in mechanical occupations, continue to feel a sense of their own mental inferiority. The connexion of these higher with the more direct objects of the Institution will serve, moreover, to give it greater dignity and importance. And while it will open sources of knowledge from which many may be in a situation to derive permanent consolation, it will instruct the humblest individual in what may be of essential utility to him, as writing and arithmetic, for example, in his intercourse with the world.

To what extent it is desirable that the Asylum be placed on a charitable foundation, is another subject of consideration. This we believe is the character of most of the establishments in Europe. That in Scotland, for instance, contains about a hundred subjects, but who, with their families included, amount to two hundred and fifty souls, all supported from the labors of the blind, conjointly with the funds of the Institution. This is undoubtedly one of the noblest and most discriminating charities in the world. It seems probable, however, that this is not the plan best adapted to our exigencies. We want not to maintain the blind, but to put them in the way of contributing to their own maintenance. By placing the expenses of tuition, board, &c. as low as possible, the means of effecting this will be brought within the reach of a large class of them; and for the rest, it will be obvious economy in the State to provide them with the means of acquiring an education at once, that may enable them to contribute permanently towards their own support, which in some shape or other is now chargeable on the public. Perhaps, however, some scheme may be devised for combining both these objects, if this be deemed preferable to the adoption of either exclusively.

We are convinced that as far as the Institution is to rely for its success on public patronage, it will not be disappointed. If once successfully in operation, and brought before the public eye, it cannot fail of exciting a very general sympathy, which in this country has never been refused to the calls of humanity. No one, we think, who has visited the similar endowments in Paris or in Edinburgh, will easily forget the sensations which he experienced on witnessing so large a class of his unfortunate fellow-creatures thus restored from intellectual darkness to the blessings, if we may so speak, of light and liberty. There is

no higher evidence of the worth of the human mind, than its capacity of drawing consolation from its own resources under so heavy a privation; so that it not only can exhibit resignation and cheerfulness, but energy to burst the fetters with which it is encumbered. Who could refuse his sympathy to the success of these efforts,—or withhold from the subject of them the means of attaining his natural level and usefulness in society, from which circumstances, less favorable to him than to ourselves, have hitherto excluded him?

Art. IV.—*Bericht ueber die Versammlung Deutscher Naturforscher und Aerzte in Heidelberg, in September*, 1829. Von F. Tiedemann und L. Gmelin. [Report of the Proceedings at the Meeting of German Naturalists and Physicians at Heidelberg, in September, 1829. By F. Tiedemann and L. Gmelin.] Heidelberg. 1829.

Rede, gehalten bei der Eroeffnungder Versammlung Deutscher Naturforscher und Aerzte in Berlin, am 18ten September, 1828. Von Alexander von Humboldt. [Address delivered at the opening of the Meeting of German Naturalists and Physicians at Berlin, on the 18th of September, 1828. By Alexander von Humboldt.] Berlin. 1828.

Among the most striking characteristics of the present age, are the general facility of communication existing between the nations of the West, the Europeans and their American descendants, and the readiness with which each of them receives from every other, whatever may be usefully applied to its own condition and circumstances. The late wars in Europe brought the people of different countries into closer connexion than before, and thus gave birth among them to feelings of mutual respect; while, by rendering them weary of military glory, they tended also to awaken a more general fondness for science and the arts of peace. Even England has cast away many of her ancient prejudices, and has become more willing than formerly, to receive instruction from other nations. The Frenchman no longer regards Paris as the only city worthy of the attention of a traveller: the Spaniard begins to be sensible of the absurdity of his foolish pride; Russia herself will soon be included in

the circle of civilization; and many of the prevailing misconceptions and false opinions respecting the East, are beginning to disappear. The Chinese are no longer looked upon as mere barbarians: we have, in short, discovered, in the language of a common German proverb, that there are men beyond the mountains. The world is daily becoming more enlightened and more just. Before the people of the United States, lies the whole Western continent, spread out like the prospect from the summit of a mountain—vast, animated, and various; and we are enabled, by the unexampled quickness of our communications with other countries, to adopt immediately from them all their valuable and useful improvements. The Latin language, which, in the middle ages, was the only medium of intercourse among men of learning, is now supplanted by several others. Books are published at the same time, in two or three different dialects; and it has become indispensable for every well-educated man, to be familiar with some other, beside his vernacular tongue. We would not be understood to adopt the common opinion, that the progress of civilization has been retarded by the barriers interposed between nations, by the difference of their languages: nor do we consider it as at all unfortunate, that a single language does not universally prevail. On the contrary, we are convinced, that the great variety of the tongues and dialects spoken by her inhabitants, is one of the causes of the superiority which Europe, a small and insignificant portion of the earth, has obtained over the rest of the Eastern hemisphere. Polite literature is divided, not according to countries, but according to languages: and it passes in each through the same gradations, from the earliest efforts of epic and lyric song, to refined description and attic wit; as the nation, which speaks it, passes itself through the various stages of civilization. This remark, however, cannot with justice be applied to the exact sciences, to the literature of the mechanic arts, or to geography. Still, if one language only had been spoken in Europe, our admiration would hardly have been at the same time excited by Camoens, Ercilla, Dante, Ariosto, the Nibelungenlied, and Milton. If the Danes had spoken the same language as the Germans, Denmark could hardly have produced so many distinguished writers in the short interval between Holberg and Oehlenschlaeger. We will even go further, and assert, that the human intellect would not have attained to its present degree of developement in so many

departments, and with so many shades of difference in each, if the ideas of all men had been necessarily expressed in the same idiom. Language and ideas exert a constant and reciprocal influence; and it is one of the principal charms of the study of a new language, that it discloses to us new ideas.

The Association, the title of whose eighth report is placed at the head of this article, appears to us to be one of the most striking effects of the increased facility and desire of communication between different countries. Knowledge is certainly rapidly advancing. We do not accord in opinion with those, who claim for the present age a superiority in every branch of civilization, science and art; and who forget, in their admiration of Fulton, that the application of the paddle-wheel, or even the mere wheel, to the propulsion of vessels, was an improvement as great as his: but we believe, that particular ages have been distinguished by certain peculiar attainments; and that there has been very little, if any, increase of skill in modern times, though the diffusion of it has become more general and rapid. We are of the opinion just indicated, that every remarkable age has applied its ingenuity and activity to some particular department, in which it has excelled preceding and subsequent ones. The favorite studies at the present day are natural philosophy, geography, statistics, and the application of science to the arts; and the zeal and success with which they have been cultivated, cannot be too highly praised.

The Association of German naturalists and physicians is novel, we may say, unique in its character; and it well deserves to be imitated in other countries. It promises, as the reader will hereafter perceive, to be the means of effecting—what is most earnestly to be desired—a scientific union of the German and French nations: and we deem it, therefore, not unimportant to give some account of its character and history.

In a country, in which natural philosophy is so important an object of general pursuit as it is in Germany, and in which so many professors of the healing art are distinguished, as their annual discoveries and publications abundantly prove, for scientific attainments, it was desirable, that men of science should become personally acquainted with each other; in order that they might more readily exchange ideas, aid one another in their respective plans, and communicate more directly and with greater rapidity, information that could not well be conveyed through the medium of printed transactions; that they might, in short, enjoy the

animating and inspiring influence of the *living word*, and consolidate, as far as might be practicable, the union of the great republic of letters. In the address, of which the title is prefixed to this article, Baron Humboldt remarks, that 'the ancients felt the value of the *living word*, the inspiring influence which superior minds exert over others, and the enlightening effect of free and friendly intercourse on the state of opinion and the direction of inquiry.' The character of this Association may be more accurately described, by contrasting it with two institutions of an opposite character. It is not an academy of sciences, the purpose of which is, to aid profound thinkers in pursuing their deep and solitary researches into the recesses of knowledge, and to publish learned transactions. Its immediate object is to produce a general animation, and a rapid interchange of ideas. On the other hand, it bears no resemblance to the schools of the middle ages, with their cold and vain displays of controversial ingenuity. It aims at the discovery of truth by conversation, and not at the exhibition of dialectic skill. As the edifying and happy influence of public religious services is universally acknowledged, while private devotion is also an incumbent Christian duty, so these disciples of science expect and desire to edify one another by their combined, as well as by their separate labors. The union in an actual community of men, whose purposes are the same, and who labor in the same cause of art, science, politics, and religion, but who are scattered over a vast extent of country, cannot fail to have a very salutary effect. It is also the object of this Association, to become acquainted with the various museums, collections, and other treasures of science, in different parts of Germany; and its meetings are held in successive years, at different places, alternately in the northern and southern parts of that country.*

Professor Ludwig Oken† may be considered as the founder

* This Association will doubtless remind the reader of Klopstock's *Republic of the Learned*, though there is, in fact, no real resemblance between them.

† Oken was at one time a professor at the University of Jena; but in 1820, the Duke of Saxe-Weimar was compelled by the Prussian government to dismiss him, on account of his political opinions. He lived for some time at Aargau in Switzerland, and has lately been appointed professor at the University of Munich by King Louis of Bavaria; who does not seem inclined to tread in the footsteps of the Holy Alliance. The article 'Oken,' in the '*Biographie des Contemporains*,' is not, in all respects, accurate.

of this interesting and useful institution. Its origin and character will be best explained by a view of its constitution, of which the following is a translation.

'§ 1. On the 18th of September, 1822, a number of German naturalists and physicians formed an Association at Leipzic, which bears the name of the *Association of German Naturalists and Physicians.*

'§ 2. The principal object of the Association is to afford the naturalists and physicians of Germany an opportunity of becoming personally acquainted with one another.

'§ 3. Every author of a work on natural philosophy or medicine is considered as a member.

'§ 4. Inaugural dissertations are not regarded as scientific works for this purpose.

'§ 5. There is no election of members, and no diplomas are given.

'§ 6. Any person employed in the study of natural philosophy or medicine, is permitted to attend the meetings.

'§ 7. No absent member has a right to vote.

'§ 8. All questions are decided by a majority of votes.

'§ 9. The meetings are held annually with open doors. They begin regularly on the 18th of September, and continue several days.

'§ 10. The place of meeting is annually changed. At each meeting, the place where the succeeding one is to be held is determined.

'§ 11. A president (*Geschaeftsfuehrer*) and secretary, who must reside at the place of meeting, manage the affairs of the Association until the succeeding meeting.

§ 12. The president fixes the time and place of meeting, and regulates the proceedings. He must, therefore, receive previous information when any paper is proposed to be read.

§ 13. The secretary makes a record of the proceedings, keeps the accounts of the Association and maintains its correspondence.

§ 14. These two officers sign in the name of the Association.

§ 15. They notify the authorities of the place where the next meeting is to be held, and also give public notice of the same.

§ 16. At each meeting, officers are chosen for the next year. If the persons elected decline, the officers make another choice; and may also, if necessary, change the place of meeting.

§ 17. In the event of the death of one officer, the survivor appoints another. If both shall die, the officers of the preceding year resume their offices.

§ 18. The Association makes no assessment, and holds no property, with the exception of its records. Whatever may be exhibited, continues to belong to the exhibiter.

§ 19. The expenses of the meetings are defrayed by the members present.

§ 20. No change can be made in the constitution, until after the first five meetings.

This institution accords so well with the spirit of the age, or at least with the spirit of the Germans in their ardent pursuit of natural science, that its meetings which were held for the four last years at Dresden, Munich, Berlin and Heidelberg, were remarkably brilliant. The meeting at Heidelberg in 1829 was attended by two hundred and seventy-three naturalists and physicians, among whom were individuals from all parts of Germany, and from Switzerland, Poland, Denmark and Tuscany; together with seven from England, nine from France, and five from the Netherlands.

This meeting was rendered particularly interesting by the presence of Baron de Ferussac, director of the '*Societé du Bulletin universel pour la propagation des connoissances scientifiques et industrielles*,* who appeared as the representative of that Association, and for a purpose which will be best explained by the following letter, addressed by him to the president of the Society.

Mr. President,

The directors of the *Universal Bulletin* have imposed upon me the duty of presenting myself before the meeting of German *savans* at Heidelberg, to express their wishes and their hopes.

'The statutes of the Society, and the catalogue of its members, together with the other documents, which I have the honor to present to you, will enable you to form a just idea of its character, and of its means of influence.

'It is the object of that Association, which was instituted by virtue of a decree of the King of France, issued on the 13th of March, 1828, upon the report of the ministry and the council of state, to establish a permanent connexion, and an active cor-

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* The *Bulletin Universel des Sciences et de l'Industrie* is a periodical journal published at Paris, and divided into eight sections, of each of which a number is issued monthly. Baron de Ferussac is the general director. He is assisted by eight editors, one for each section. The sections are arranged as follows. 1. For mathematical, physical and chemical science; 2. natural history and geology; 3. medical science; 4. agriculture, horticulture, fishing, and sporting in general; 5. technology; 6. geography, statistics, political economy, voyages and travels; 7. philology, antiquities and history; 8. military science.—*Encyclopædia Americana.*

respondence between all the friends of science and the useful arts; to the end that the ideas and labors of each may be rendered accessible and useful to all; for without this the progress of all must of necessity be slow, and valuable results far less rapidly effected.

'This Association, which is peculiarly distinguished by its universal character, belongs exclusively to no one nation, to no single school, to no particular doctrine. It professes to labor for the *public good.* The most eminent friends of science in every country are invited to become its members. They must in every state constitute a committee for the encouragement of science, and for facilitating the labor and researches of scientific men. They must form together the Senate of that general republic of science and industry, which is every day so rapidly increasing with the progress of instruction and the culture of the human mind.

'The unquestionable importance of such an organization to the interest of science and men of learning, as well as to the progress of civilisation, has induced the association which I have the honor to represent, to believe, that an object so elevated and generous as theirs, will attract the attention of the assembly of learned men, over which you preside.

'For these reasons, the directors of the *Universal Bulletin* believe, that it belongs to an assembly so remarkable and so solemn as that which is now convened in Heidelberg, to manifest their friendly disposition towards that Institution, by some public act; and I have accordingly been requested, Mr. President, to beg you to cause this letter to be read at one of the earliest meetings of your Association, and to ask that it may be noticed in the report of your proceedings; and if these requests be not disregarded, that it may be made the order of the day for the consideration of the sections.

'I have also, Mr. President, the honor to enclose six copies of our documents, for the use of the several sections of the assembly.

I am, with high respect, &c.

Heidelberg, Sept. 13*th*, 1829.

The meeting at Heidelberg was organized in four departments; appropriated respectively to chemistry and natural philosophy, mineralogy and geology, botany, and medicine. A general meeting and a separate meeting of each division were held every day. The session continued seven days: and we are astonished, on examining the report, to perceive how much scientific and practical information was communicated, in so short a space of time. Reports of uncommon medical operations were

made; delicate chemical preparations were exhibited; new discoveries promulgated; new instruments brought into notice; and a great number of scientific treatises read. Letters were received from learned men in many different parts of Europe, and in short, more activity and zeal were displayed, on this occasion, than upon any former one of the kind. This meeting, however, was inferior in brilliancy to that which was held last year at Berlin, and at which, as we have already mentioned, Baron Alexander Humboldt presided. The short introductory discourse, which he delivered upon that occasion, exhibited the refinement and elegance that belong to this distinguished philosopher, so well known throughout the world for his researches and discoveries, in almost every department of natural science. Having mentioned the name of this great man, we cannot permit the occasion to pass without expressing our admiration of his elevated character—our deep sense of the services which he has rendered to the world by his indefatigable efforts in America, Europe, Africa and more recently in Asia, and our ardent wishes that his valuable life may be long continued for the instruction of both hemispheres.

The meeting at Berlin was rendered, by the taste of Baron Humboldt, as pleasing as it was interesting and useful. Its first session in the hall of the royal musical academy was attended by more than five hundred persons, among whom were some of the highest officers of state. To this succeeded the regular meetings. In the evening, a *conversazione* was given by the President, in the great concert-room of the royal theatre. This saloon, which is one of the most elegant in Europe, was arranged by Mr. Schinkel, the King's architect, as a temple of German Fame. Within a semicircle of rays, opposite to the entrance, the names of the most distinguished German naturalists were inscribed in characters of gold and silver. On one side were placed the following lines of Goethe:

Es soll sich regen, schaffen, handeln,
Erst sich gestalten, dann verwandeln,
Nur scheinbar stehts momente still;
Das Ew'ge regt sich fort in Allem,
Denn Alles muss in Nichts zerfallen,
Wenn es im Seyn beharren will.*

* Motion, action, formation, creation, change, are the laws of existence. Repose is a mere appearance, for the Universe is inspired in all its parts by a principle of constant activity; and ceasing to change is in other words ceasing to be.

On the other side was inscribed the following passage from Schiller:

> Es entbrennen im feurigen Kampf die eifernden Kraefte,
> Grosses wirket ihr Streit, Groesseres wirket ihr Bund.*

The King and several of the princes attended this festival: which was rendered still more attractive by a full orchestra and the first singers of the royal theatre. While the meeting continued, the members were every day conveyed in carriages to a vast dining hall, in which were spread twenty tables, at each of which twenty-four persons were accommodated. Baron Humboldt presided at the first table. No ladies were present, excepting the wives or daughters of such members as did not reside in Berlin.

The institution has been conducted with so much success, that it was proposed at the last meeting that the future ones should occasionally be held in other countries, and it was particularly requested by Professor Oersted of Copenhagen, that the next might take place in that city; but the invitation was declined for the present, principally because the Association had not yet met in several of the German cities, which contain treasures of natural science well worthy of their attention. Hamburg has been assigned as the place of meeting for the next year. We should rejoice if the attendance there of some of our fellow citizens might produce a literary and scientific union between two regions, separated only by an ocean, which is found to oppose no obstacles of importance to our commercial enterprise. Boston, New-York and Philadelphia, are not really more remote from Paris, than Warsaw, Stockholm, Lisbon, and many other European cities. The representatives of the United States would doubtless meet with a hospitable reception, and a cordial welcome from the inhabitants of a country, which was styled by Madame de Staël '*le pays des pensées et de la bonhommie.*'

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* The power of conflicting principles is increased by the ardor of contention; their strife produces much good, but their union still more.

ART. V.—*Melanges Historiques et Littéraires, par M. Villemain, Membre de l'Academie Française.* 2 vols. 8vo. Paris. 1827.

Mr. Villemain, the author of the work before us, is one of the most distinguished and popular of the living writers of France. He is the Professor of Eloquence in the University; and his lectures are regularly attended by thousands of intelligent and fashionable auditors. We cannot too highly commend the liberality, which renders these lectures accessible to all. It is most honorable to the French, that their treasures of literature and science are not, like those of some other nations, secured by bolts and bars, which nothing but the magical application of silver can remove. A field of action is thrown open by this liberality to eloquence and talent, which reminds us of the glorious days of ancient Greece. The influence of intellectual ability is visible and felt; operating as it does, not through the comparatively cold and lifeless medium of books, but with all the vigor and effect of oratory, conscious of its power, and consecrated to the most exalted purposes. This may not, it is true, be the most eligible method of imparting profound instruction; but besides communicating extensive information to many, who would not otherwise acquire it, or whose attention would be devoted to nothing better than the ephemeral literature of the hour, it produces an elevated tone of public taste and sentiment, on which much of the character and advancement of society depend. The time, we hope, is not far distant, when courses of instruction, conducted upon similar principles, will become universal in this country, or at least in our larger towns and cities; where there is surely no deficiency in the eloquence and learning, which are essential for their success. It is much to be regretted, that the valuable lectures of professors in our literary institutions, are in general delivered before audiences, composed of students only; when, by a change of plan, they might be rendered very useful and instructive to the public at large. The evil may in some degree be remedied by institutions like the Boston Society for the Diffusion of Useful Knowledge; giving, however, what the circumstances of that society will not probably at present permit, better opportunity to the lecturers for the more complete investigation of their subjects, and rendering the privilege of admission to the lectures more general and free.

The first article in this miscellany is an elegant and animated eulogy on Montaigne. After this follows a discourse upon the benefits and disadvantages of criticism; a subject which, in the emphatic language of the day, comes home to our own business and bosoms; and which is treated with eloquence and spirit, and with a more abundant measure of candor, than is commonly to be found in similar productions. The author is obviously not of the number of those deluded and misjudging persons, who are fond of representing critics as the inveterate and natural enemies of promising talent, in the same manner as the ministers of the law are sometimes held up as a brotherhood of rogues, and the professors of the healing art denounced as habitual violators of the sixth commandment. Still, in speaking of the origin of criticism, he is inclined to consider it as a decided and rather singular usurpation; although he admits, for the purposes of argument at least, that it has been rendered legitimate, if not equitable, by prescription. As to the manner in which this questionable power has been exercised, we think we can perceive a disposition on his part, which we should hardly have expected in a writer so judicious, to look upon the unfavorable side. We are not unfrequently told elsewhere, of the rancor with which contemporary criticism pursued Cervantes; of the thousand attempts made in his own time to destroy the reputation of Tasso; of the envy and malice which hurried Racine into seclusion at the very noontide of his powers; and of the bitterness which brought Keats immaturely to the grave. We are not without our doubts in regard to the authenticity of this last example. The potion, though sufficiently unpalatable, is rarely if ever mortal; though we are far from attempting to justify or palliate the heartless malignity, which some modern critics of no small distinction, actuated by personal or party motives, have deemed not unworthy of their profession and character. But it should not be forgotten, that much of what passes under the name of criticism, is only the jealousy and envy, which are sometimes tempted to assume the lion's skin, the better to accomplish an unworthy or degrading purpose. We might easily produce examples, on the other hand, in which coals of fire have been literally heaped upon the head of the unlucky critic; indeed, we are inclined to believe, that upon a fair settlement of the accounts between authors and reviewers, the former will be found to be by no means in ar-

rear. The fate of Dennis is not yet forgotten; the two hundred volumes aimed by Fréron at the head of Voltaire, were answered by missiles less ponderous, but somewhat more effective; and the world has hardly yet ceased to applaud the vigor, with which Lord Byron flung back the sarcasms of the Edinburgh Review. The truth is, that by selecting particular examples, the office of the critic may be made at pleasure to resemble that of a fallen or protecting angel. The argument against it is drawn from its abuses; and this is at once the least philosophical and the least conclusive of all arguments.

It would hardly become us to enumerate the qualifications which the task of the critic requires. They consist, according to Mr. Villemain, in perfect impartiality, in earnest wishes to promote the success of others, in a union of correct principles with exalted sentiments, and in delicate and unperverted taste. But it is no more reasonable to expect angels in the form of critics, than in that of rulers; and acting as we do, with a full consciousness of our infirmities, that task is neither light nor easy. If we could for a moment suppose ourselves to be endued with all these attributes, we should still be haunted by apprehensions, that authors would continue to take it ill, when they are told, that their works are poor things, and that they are not themselves much better. Our author believes that the raillery which wounds self-love is what renders criticism so intolerable; and that if authors were only made acquainted with their faults in a grave and argumentative way, they would receive the information with unaffected pleasure. But it is not easy for reviewers, from the public nature of their occupation, to deal with an erring brother according to the injunctions of religion; and if this were practicable, it would not, in all probability, remove the difficulty. Rousseau tried the experiment with the curate of Mont-Chauvet, when he assured him, in a transport of benevolence, that nothing could be more worthless than his tragedy; and thus made his reverence an enemy for life. Our faculties, we flatter ourselves, will be borne too meekly to render us justly liable to railing accusations, by frequent acts of injustice; but if our hope shall be ill founded, we must console ourselves with the reflection, so balmy always to courts of limited jurisdiction, that the great appellate tribunal of the public will remedy the evil, by overthrowing our decisions. The discourse is concluded with the following remarks.

'As for us, who are young writers, and whose early essays are too unimportant to excite attention, let us not be too forward to delude ourselves with the idea, that we shall deserve to become objects of envy. In violation of the ordinary rule, it is possible, that we may be indifferent writers, and yet severely criticised: but before we accuse others of injustice, let us learn to distrust our own vanity. The love of letters is like every other passion. It blinds, it misleads, it deludes us both with regard to ourselves and others: it mistakes the ardor of its aspirations for the measure of its strength: it is impatient of every obstacle, while it often requires to be arrested in its progress. Talent is rare, vanity credulous, and glory seductive.'

The discourse upon criticism is followed by a eulogy upon Montesquieu; for which, with the two discourses already mentioned, prizes of eloquence were awarded to the author by the University of France. It is impossible, in examining a work like the one before us, embracing a great variety of subjects, to give a particular account of each. We can offer only a short extract from a discourse delivered by Mr. Villemain before the Academy, upon his succeeding to the place left vacant by the death of Mr. de Fontanes; in which his eloquence appears to be animated by a deep sense of personal obligation, and the recollections of early and disinterested friendship.

'I call to mind involuntarily that Roman usage, which, at the death of some distinguished citizen, some generous patron of youth, allowed one of his clients, one of his pupils, to express from the tribune the public sorrow for the loss: with no other title to the honor than that which gratitude confers, and no other recommendation than the friendship of the departed. I cannot recollect the poor essays, which have acquired for me the honor of a place among you: I cannot look back upon the early stages of my short and humble career, without being at the same time reminded of the kind and liberal friendship of Mr. de Fontanes. It was that friendship which received me at my departure from the public schools, and devoted me at an early age to the occupations of a teacher: it was that which encouraged my earliest essays, and watched over them amidst the trials of that literary competition, which have sometimes attracted towards me your attention: it protected those essays; for a long time it protected me; it honored me always.'

We next turn to an essay upon the funeral oration, in which the French are generally admitted to have excelled all other modern nations. The object of this kind of eloquence is noble

and elevated; for it is no other than that of bestowing just honors upon exalted virtue, and of holding it up as an example for the world to admire and imitate. Mr. Villemain discovers one of its earliest specimens in the lamentation of David for those who fell upon the mountain of Gilboa. He enters into an examination of the most remarkable funeral orations of antiquity; from that which Thucydides has ascribed to Pericles, to the discourse of Hyperides in memory of the Athenians who perished in the attempt to restore the liberties of Greece, a few years after the 'dishonest victory of Chæronea.' The inspiration of the Greek orators was derived from patriotism and freedom; but with all their sublimity and power, they were destitute of that superior dignity, which springs from the rewards and promises of the Christian faith. In the republic of Rome, the custom of thus honoring those who fell in battle, was altogether unknown. The funeral oration was stately and formal; for the patrician orators had scarcely any other task to perform, than that of the English king-at-arms upon the occasion of a royal funeral, when he proclaims the rank and titles of the dead. At a later period, the power of impassioned eloquence was occasionally exhibited in public eulogies on distinguished favorites of the people: a memorable example of which is presented in the funeral oration pronounced by Antony over the body of Cæsar. But it is easy to conceive, what the character of these discourses must have become, when the eulogy on each departed emperor was delivered by his successor, and the virtues of Claudius were celebrated by Nero. Mr. Villemain notices with high commendation the funeral discourses of some of the early Christian fathers; the merit of which appears the more remarkable, when we remember, that they were written at the period of the decline of letters, and the corruption of taste. It is sufficient evidence of their superior excellence, that they were imitated by Bossuet—the absolute and unrivalled monarch in this high department of eloquence—who is placed by the just admiration of our author, far above all his illustrious contemporaries. Since the Augustan age of French literature, this, its peculiar glory, has departed; and the academic eulogy affords but a very inadequate compensation for the loss.

No allusion is made in this essay to the funeral orations of any modern nation, but France; and we are rather surprised upon reflection, to find how few attempts have been

made in England to attain superior excellence in this department. One of the finest examples, which occur at present to our recollection, is the beautiful eulogy delivered by Fox in the House of Commons upon his friend, the Duke of Bedford; which presents us also with a striking illustration of the peculiar character of English eloquence in general, as compared with that of France. We find in it no flights of energy or passion, no enthusiastic appeal to our sympathies. Its tone throughout is subdued and calm; and the feelings of private friendship and personal gratitude are pleaded as an apology for an exhibition of sorrow, which, in the view of a Frenchman, would constitute the principal charm, and should be the most prominent characteristic of the eulogy. In fact, the difference to which we have alluded, appears to be the result of a very marked diversity of temperament and taste. An Englishman is rather apt to regard any public display of excited feeling as unbecoming and unmanly; and he will generally labor to conceal it where it exists, instead of attempting to awaken the sympathy of others by the exhibition of his own grief. One of the most obvious traits in his character is the opposite to that, which Sallust has attributed to Catiline; his wisdom is superior to his eloquence. A Frenchman, on the other hand, can perceive no reason why any emotions should be hidden from the public view; if a man may reasonably feel, he may with the same propriety express them; and in conformity with the rule of Horace, if he wishes to make others weep, he begins the process by shedding tears himself. In this respect, our countrymen, perhaps, bear less resemblance to the French, than to their English brethren. There is among us as much regret and veneration for departed worth, as much affectionate remembrance of lost excellence and virtue, as in any other country; and there is no less of what Adam Smith calls sympathy with the dead. It is only differently exhibited: with little of the public show and parade of sorrow.

The tastes of nations, like those of individuals, do not admit of controversy. If those of England and our own country have been fairly represented, it is plain, that the usual style of the French funeral oration would not be altogether pleasing to English or American audiences. Some desperate attempts have at times been made to copy the most remarkable passages of Bossuet; but all direct imitation has proved wholly unsuccessful, for the reasons we have already mentioned. Our

associations with our last change are grave, chastened, and severe. We have little disposition to throw the illusions of poetical imagination over its awful realities; we have few of those offerings of flowers and other tributes, which are consecrated by affection elsewhere to the memory of the dead; so that we are apt to fall into exaggeration, when we overstep the limits prescribed to us, by our ordinary habits of thought and feeling upon this subject. Cotton Mather, a man of talent as well as of great and various attainments; has given us several specimens of the funeral eulogy, which are probably among the most extraordinary monuments of perverted taste that were ever erected by the ingenuity of man. His laudatory notice of the pious Mr. Partridge, is composed of an unbroken succession of puns; and is concluded with this appropriate epitaph, 'He has flown!' We learn from the elaborate *Pentade* of President Alden, who has decyphered tomb-stones and investigated our sepulchral literature with all the zeal and industry of Champollion and Old Mortality, how common this exaggeration was, at an early period. Sometimes, as in the case of a worthy clergyman who delivered a public eulogy upon his wife, plain prose was altogether inadequate to the expression of sorrow, and grief broke out into a paroxysm of poetry. And the same extravagance appears occasionally in obituary notices at the present time. All this is neither a result, nor an evidence of our ordinary taste; and its absurdity arises from the attempt to express what we do not feel, or, at least, what our habitual mode of feeling forbids us to express in such a manner. To be adapted to our prevailing taste, all such notices should be modest and unobtrusive. When, however, some great calamity, the loss of some eminent public servant, or of a private person of distinguished worth, excites the public feeling in a very unusual degree, the funeral oration will be found to assume a corresponding character of dignity and power. It is praise sufficient, and at the same time well-merited, to say, that many of the discourses delivered upon the occasion of the death of Washington, were in all respects worthy of their venerated subject; and who has forgotten the affecting eulogy in which Fisher Ames poured out his heart in sorrow for the loss of an illustrious and kindred spirit? When two of our most eminent civil fathers were, a few years since, together called from their earthly labors, the deep and universal feeling of regret and admiration was expressed in many beautiful and impressive

eulogies, which would not have dishonored the literature or the eloquence of any age or country. The funeral orations of France, as we have already remarked, might not be perfectly adapted to our ordinary taste; but the effect of some of the discourses to which we have alluded, was produced by the judicious union of their impassioned eloquence, with the gravity and calmness of our own; and a very beautiful example of this union is afforded by a discourse of the late Mr. Buckminster upon the death of Mr. Bowdoin, a part of which only has yet been published, and which was probably considered as too occasional in its character, to be inserted in the collection of his works.

We pass over the introductory discourse of Mr. Villemain's course of lectures upon French eloquence, in order to come to an essay, which contains a short biographical notice of Milton, together with a critical examination of his works. The criticism is not, in general, uncandid nor unjust; but there are some points, in which we are far from according in opinion with our author. In one particular, we feel compelled to make, what was denominated by one of his countrymen, a reply to his silence. We do not find, that he has honored Milton's sonnets with even the cold tribute of a passing glance; and yet, notwithstanding the contemptuous intimations of Johnson, some of them are certainly of the very first order of excellence in a species of composition, better suited, perhaps, to the taste of Italy, from which it was borrowed, than to ours, but in which Shakspeare and Sydney did not disdain to labor, and of which Drummond has left us some examples of uncommon elegance and beauty. He is also wholly at a loss to discover the contrast between the Allegro and the Penseroso, which the names seem naturally to imply. The former appears to him, as Master Hudson's pleasure-party appeared to Rip Van Winkle on the Catskill mountains, a rather melancholy affair; but the difficulty vanishes, when it is considered simply as expressive of a state of mind denominated cheerfulness; with which Johnson, who had previously expressed a similar apprehension, was not particularly conversant, and which certainly bears little resemblance to what a Frenchman would call gaiety. The Comus also, in the opinion of our author, displays less gaiety than sadness; and considered as an imitation, it may perhaps be liable to censure: but it is a little singular, that one who is capable of appreciating Milton's genius, should be insensible to that deep harmony, which enforces attention like the tongues

of dying men, to the grace and richness of the language, and the elevated dignity of the sentiments of that unrivalled production; where genius breaks from the cloud, in which the imitation of inferior models seems at first to shroud it, and stands forth like Æneas, in all the pride of manly and almost celestial beauty. We have no room to follow Mr. Villemain at length in his remarks upon the Paradise Lost; but we are glad to see that he is willing to do justice to the language of that immortal song: which, if occasionally disfigured by foreign idioms, is still the inimitable, and we had almost said, the native dialect of surpassing genius; and that he treats with deserved contempt the idea, that the merit of the poet is diminished by his having borrowed the first suggestion of his great work, as Voltaire will have it, from some Italian drama upon the subject of Adam's fall. In common with many other high authorities, however, he seems to consider only a few of the first books of the Paradise Lost, as remarkable for their sublimity. It may be so; but who would choose to part with the delightful images of the innocence and purity of paradise, the magnificent description of the rising world, or the vision of the future revealed by the archangel to the father of our race? To us, the poet appears like the spirit in his progress through the realms of chaos; who, though he may occasionally approach some inferior orbs, is still pursuing his majestic flight towards the garden of God.

It is not without regret, that we see our author giving the sanction of his authority in confirmation of the justice of that censure, which has often been bestowed upon the controversial works of Milton. Mr. Villemain is understood to be the friend and advocate of liberal principles; and he has experienced something of the severity by which arbitrary power would subdue the firm hearts and eloquent tongues that refuse to do homage to its idol: and might be expected to pardon something to the great defender of liberty, fallen on evil days and evil tongues. It should not be forgotten, that Milton was ready to devote all that he possessed or hoped for, to this high and holy cause; that he went forth to battle against principalities and powers, armed with that irresistible enthusiasm which shrinks from no peril, despises every obstacle, and cheerfully encounters all sacrifices; that, like the apostle of the Gentiles, he finished his course, he kept the faith, even in the midst of the sorrow and darkness and privation of his later years. For ourselves, we

look with reverence upon such an intellect, engaged in such a cause, and supported only by a prophetic anticipation of the glories which were about to be revealed. It is painful to see liberal and accomplished minds visiting with relentless severity of censure those occasional violations of propriety and correct taste, which are found in the controversial writings of Milton; as if the stern old warrior, in the hurry and tumult of the conflict, had been bound to wield his battle-axe with all the graces of a courtier. Is the tone of religious or political controversy at this day so elevated, that we are entitled thus to condemn its spirit in former times? Has much been gained to the cause of morals or religion, when refined calumny and well-mannered rancor are substituted for the old-fashioned blunt, and undisguised expression of enmity or hatred, or when the war-club of Beauvais is laid aside for the treacherous kiss of Joab? However this may be, it is plainly impossible to form a fair judgment in regard to the spirit of these writings, without taking into consideration at the same time the spirit of the age in which they were written. It was in the century immediately preceding, that the rage of controversy appeared to reach the highest possible degree of intensity and bitterness; when the mildest terms of reproach which Luther could find it in his heart to apply to the royal vindicator of the seven sacraments, were those of liar and blasphemer. Nor was it greatly mitigated, at the period of the civil wars of England. Cavaliers, round-heads, fifth-monarchy men, agitators, and a host of others, were mingled together in one vast limbo-paradise of controversy; and all the resources of ridicule and libel that memory or learning could supply, or ingenuity devise, were lavished with boundless prodigality by each upon all the rest. Such, in truth, was the fashion of the day. An instance occurs to us, which shows that the same spirit was then exhibited in a quarter, in which we should not commonly, perhaps, expect to witness it. The General Court of Massachusetts, in reply to certain unlucky petitioners, published a formal manifesto; in which short, but very distinct and far from flattering sketches were given of the characters of the prominent applicants: and which was concluded with the remark, that a head so unsavory was not to be seasoned with a world of salt. In short, we believe that the faults of Milton, like those of Shakspeare, were the faults of his age; while his inimitable beauties were peculiarly his own.

In the story of Lascaris, our author has attempted to combine

the deep interest of fiction with real characters and incidents; and it is principally remarkable for its rich poetical coloring, and the flowing beauty of the style. It refers to that memorable period, when Constantinople—the asylum of all that was valuable in philosophy and science, or beautiful in art—became the prey of those wild barbarians, whose iron despotism is at length hastening to its merited doom. Some young and noble Italians, among whom was a son of Cosmo de Medici, are supposed to be travelling in Sicily; which they find, not as it is at present, almost a barren waste, but still opulent and flourishing, though far inferior to their own delightful land. One day, while the travellers are watching the reflection of the fires of Ætna from the bosom of the tranquil sea, a boat is seen to approach the shore. They knew that Constantinople was invested by Mahomet II. with a formidable army; but the tidings of its fate had not yet reached them, and, indeed, they felt little interest in the fortunes of those who refused to acknowledge the authority of the Latin church. A stranger, of dignified mien and majestic stature, stepping forth from the boat, announces the destruction of that noble city, and informs them that a wretched remnant of the Greeks were wandering with him to find an asylum in that Christian Europe, which had refused to avert their ruin. The stranger was Lascaris; who relates to the travellers the story of his country's desolation; and tells them, that, as the Trojans carried with them in their flight the sacred fire of Vesta, so he and his companions were bearing to Italy the noble relics of the arts and genius of their unhappy country. They are hospitably received by the Sicilians, who forget their heresy in compassion for their misfortunes. Italy had already begun to admire and imitate the arts of Greece; and the travellers are anxious to converse with Lascaris upon the subject.

'Our great poet, Petrarch,' said Medici, 'having received from the East a copy of Homer, lamented that so rich a treasure should remain useless in his hands. His friend *Boccaccio* instructed him in the language of Greece, and gladly became for him the interpreter of that immortal song.' 'Oh, that its sublime strains might resound throughout the world!' exclaimed Lascaris: 'it is the imagination and philosophy of Greece, her poets and orators, that shall enchant and reanimate Italy at some future day, and shall pass thence into those other parts of Europe, which you now regard as obscure and barbarous. Beneath the skies of Greece there dwelt a race, blest with the most delightful climate,

and the most exalted freedom. Patriotism was the parent of their inspiration; and glory elevated the soul to those noble deeds, which are the secret type of all the beautiful arts. Homer invented the beautiful in poetry; Plato introduced it into ethics; and reason became sublimer than enthusiasm. Under auspices like these, arose a long succession of orators and poets, whose writings we, miserable fugitives as we are, bear with us into Italy. Never did the vanquished take with them in their flight a richer treasure; never will hospitality receive a return more noble. Among us, these models of the grand and beautiful might be faithfully preserved, but they would no longer find imitators; they might enrich our archives, but they could never more impart inspiration. Our minds would rest inactive in a narrow sphere, as our empire was limited at last to the walls of Byzantium. But when these models shall have found a home in Italy, and the barbarous nations of the West, a new and glorious age shall dawn upon Europe. You, Italians, with your liberal ideas, your pacific sovereignties, and your republican cities, will be the first to witness the revival of the spirit of ancient Greece; and the arts, in their progress from land to land, will at length resemble those fiery signals of which Æschylus has told us, blazing in quick succession from the summit of Ida to the mountain-tops of Mycenæ, to announce the victories of Agamemnon."

The conversation is interrupted by intelligence, that another company of Greeks have landed near Messina, and are anxious to rejoin their countrymen. The most distinguished of this new party is Gemistus Pletho: who has abandoned a brilliant and successful political career, to dwell in obscurity at Athens, amidst the ruins of ancient Greece. He was the friend of Cardinal Bessarion, who, anticipating his country's fate, had for many years adhered to the Latin Church; but upon whom, notwithstanding his apostacy, much of the hope of his countrymen still rested. The haughty air of Gemistus, and his majestic stature, impress the Italian travellers with respect and awe. Unlike Lascaris, in whom all hope appears to be extinguished, he looks forward with unwavering confidence to the restoration of Greece. He declines the urgent invitation of Medici to accompany Lascaris to Italy, and resolves to await the result of an application which he had already made to Cardinal Bessarion. This result is soon made known by letters from the Cardinal, who urges Gemistus and his companions to come to him at Rome, informing them at the same time, that the Pope had prepared an armament for the

relief of the Greeks; and to shew the anxiety of Nicholas V. for the welfare of those Christians in the East who still adhered to the Roman Church, the letters are accompanied with a bull, in favor of the King of Cyprus. This paper was among the earliest examples of the art of printing, then recently discovered; and the admiration of Lascaris, who is now for the first time made acquainted with the discovery, is thus expressed:

'Happy effort of human invention, source of new truths, immortal safeguard of truths already known! All the treasures of intellect which we have rescued from the flames are henceforward in security, even from the ravages of time. They shall be multiplied without number, they shall penetrate into every quarter of the globe; and they shall carry into all the name and the genius of my country. Here, in the midst of my accumulated sufferings, I hail the dawning of a new epoch in the history of man.'

Letters are received at the same time from Cosmo de Medici; who declares, that no confidence can be placed in the exertions of Christian Princes for the relief of Greece, and directs his son to invite all the wanderers of that unhappy nation to repair to Florence. The anxiety of Lascaris to depart is increased by the hostility which the Sicilians begin to show to the ceremonies of the Greek Church. At this period the bishop of Ephesus arrives; whose zeal for his faith is in no degree diminished by the severest trials, and who determines publicly to perform its sacred rites. The description of this ceremony, which takes place by torch-light, beneath the 'chestnut of a hundred knights,' is highly animated and beautiful.

'Arrayed in the long white robe of the Greek pontiffs, his head encircled with a crown, the bishop commenced the sacred rites with the same religious dignity and care, with which he could have celebrated them in Ephesus or Byzantium. The Greeks standing around him, with their heads covered, sung with the most delightful accents of the human voice, the hymn of the oriental church: 'Holy, Mighty, Immortal God, have mercy upon us!'

'At the moment when, according to the ritual of his church, the bishop addresses himself to the assembled people, he exclaimed: 'Almighty God! Christian Greece is not yet destroyed, since in this desert place, beneath this wild shelter, we adore Thee still. Mahomet has indeed profaned Thy temple, he has broken the images of Thy saints: but our pure and spiritual worship depends not upon these perishable symbols. Condescend, O Most High, to sustain the faith of my brethren amidst the trials of captivity, and the

temptations of misfortune! Preserve our holy religion from the cruelty and the protection of Mahomet; forgive those prelates who bow to the authority of an impious master, and deprive them not, unworthy as they are, of power to consecrate the people by Thy divine word!'

The tree under which these rites are performed, had been consecrated to St. Agatha; and a furious tumult arises among the Sicilians, upon witnessing what they deem its profanation. The Greeks are protected from the effects of their rage by the intervention of Medici and his friends, and the Spanish governor of Catanea; and are lodged in the fortress of that city during the remainder of the night. The next morning they proceed under an escort of Spanish soldiery, still accompanied by the Italian travellers, to the court of Alphonso of Arragon, King of the Two Sicilies. An opportunity is afforded by the narrative of their journey, for a vivid description of the country through which they pass. Amidst the ruins of Selinonte, they perceive a venerable figure kneeling before the image of our Savior, near which a taper is burning, according to the rites of the Greek church. This person proves to be Nicephorus, bishop of Heraclea, the most distinguished Greek prelate who adhered to the Church of Rome; and between whom, and his brother in misfortune, the bishop of Ephesus, a reconciliation is easily effected. The company at length arrive at Palermo, where they are hospitably received by King Alphonso. This monarch, who is represented as combining a taste for letters with military talent, is anxious to retain them in his dominions; but in compliance with their earnest wishes, reluctantly permits them to depart for Italy. Then bursts forth the full light of that memorable epoch, the dawn of which, a very few years earlier, began to 'purple the east.' Then was accomplished that great revolution, to which most of the social improvements of succeeding years point backward, as their acknowledged source. But the affections of the Greeks still clung to their own oppressed and suffering land; and the residue of the story, the whole of which is written with unusual grace and beauty, is occupied with the relation of their efforts to excite the sovereigns of Christendom in its behalf, of the repeated disappointment of all their hopes, and finally, of the later years and death of some of the most eminent of their number.

'The old man (Lascaris) did not long survive. His death was deeply lamented in Sicily, to which he had imparted the idea of

superior civilisation and of a better life. But his disciples were spread abroad throughout Europe, carrying with them the memory of his dying words, and those delightful traditions of his own land, which he had so long and fondly cherished. A monument of white marble was for a long time preserved in Messina, which had been erected in memory of Lascaris by the first inhabitants of that city; but the neglect of succeeding generations has suffered every trace of the memorial to perish. Indifference is a destroyer more fatal than time; and no vestige remains of him to whom Europe is still so much indebted, of the savior of the arts of Greece, but a few scattered traditions of his disciples, which we have here attempted to collect and to preserve.'

Mr. Villemain, in common with most of the distinguished scholars of Europe, felt a deep interest in the fortunes of the Greeks, during their late eventful struggle. This sentiment appears to have induced him to write the story of Lascaris, which relates, as we have seen, to the period, when they first became subject to the dominion of the Turks; and which is followed by a historical sketch of the condition of Greece from the time of its subjugation to the year 1814. This sketch, though very short, is yet valuable and interesting; for it describes that condition during a period, which has not before been made the subject of a connected history; and it shews also, that the sternest oppression, though it may subdue, has no power entirely to destroy the spirit of a gallant people. We find in it some traces of that energy and valor, which have been within a few years so signally displayed; and the persevering courage of the Suliotes in defending their native mountains against the force and treachery of Ali Pacha, is not surpassed in self-devotion by any other ancient or modern example.

In a short essay upon the life and writings of Pope, our author displays his usual discernment, not wholly free, however, from national partiality. He places the Essay on Criticism far below the *Art Poétique* of Boileau: considers the *Lutrin* as in every respect superior to the Rape of the Lock; and the satire *A mon Esprit* as worth the whole Dunciad. But he has no sympathy with those modern censors, who, not content with assailing the poet's private character, have labored to cast down his statue from the elevated place, which the world has been contented to assign to it for near a century. There is indeed something strange and almost peculiar, in the fate of

his poetical reputation. He was invested by the fond admiration of his contemporaries, and the succeeding age, with almost despotic authority in the literary world; but within a few years, a new definition of poetry has been set up, with as much ceremony as a certain statue was anciently erected on the plain of Dura—a definition, which limits the domain of poetry to the world of nature, to the entire exclusion of the world of art, as if art were not itself one of the forms of nature. It is true, that Pope may be in some respects regarded as the poet of social life; but it is far from being true, that his poetry is wholly the result of it, or that he never 'opened the windows of his saloon to behold the green fields;' and even if it had been so, we should still hesitate to adopt a definition, which would cashier nearly all poets, past, present, and to come. The controversy with respect to Pope's title to the name has been carried on as fiercely as the battle raged of old over the dead body of Patroclus. From the warmth and vigor of the combatants, one would have thought, that instead of relating to the merits of a writer of the early part of the last century, it must have involved at the very least, some vexed problem of political economy, or some novel measure of taxation. We have neither room nor inclination to engage in this controversy at present; more particularly, as the approbation of our own age appears to be confirming the judgment of the last; and as we have no disposition to doubt the correctness of the decision.

In one particular, however, the world at large appears to be in some degree forgetful of its real obligations. We admit, that the poetry of Pope displays little of the infinite variety of Shakspeare, or the sublimity of Milton; that it is inferior in power to that of Dryden; but it must still be his unquestioned praise, that he carried the sustained harmony and sweetness of English versification to a degree of excellence unknown before. It is difficult, indeed, to detect much of the dulcet and harmonious in the earlier English poets. The rhymes of Chaucer form no exception to this remark; those of Sydney would be very unlikely to ravish the ears of modern beauty; the music as well as the dialect of Dr. Donne, might well enough have been pillaged from his 'bricklayers of Babel;' and even the good genius of Shakspeare, although it be as bright and beautiful as the Ariel of his own enchanter, appears partially to desert him, when he submits, as he occasionally does, to the shackles of rhyme; while Pope, on the contrary, wears the

chain with perfect grace and ease. We do not deny, that specimens of versification, equal if not superior to his, are to be found in the writings of some of the poets of the seventeenth century; but we know no other example of uniform and unbroken perfection in this department of the art, before the time of Pope. Dryden's translation of the Æneid is superior in certain parts to any portion of Pope's version of the Iliad; but we think we hazard little in saying, that it is decidedly inferior in point of versification, considered as a whole. Now unless poetry should resemble the sort of music which the clown in Shakspeare declared to be most agreeable to his master—namely, that which cannot be heard—it is really of some slight consequence, that it should not be too chromatic; that it should not grate too harshly on the ear; and we are far from relishing the innovations of some of our contemporary poets, who have attempted to render their versification more attractive, by making it resemble the pirates' song in the Corsair, which seemed a song only to ears as rugged as the rocks that sent back its echo. With whatever other defects the 'little nightingale,' as Pope was called in his youth, may be justly chargeable, we are inclined on the whole to consider it as by no means the smallest of his merits, that his claim to the poetical character is not founded on discordant harshness of versification.

We take our leave of Mr. Villemain's work, regretting that it is not in our power to give our readers a more adequate idea of its merits, and more numerous specimens of his pure and beautiful style. We can assure those who may be inclined to examine it, that it will abundantly reward the labor of perusal.

Art. VI.—1. *Manifiesto del General Antonio Lopez de Santa Ana à sus conciudadanos.* Vera Cruz. Mayo, 16 de, 1829.

2. *Manifiesto del Gobernador del Estado de Mexico, ciudadano Lorenzo de Zavala.* Tlalpam. 1829.

3. *Acta del pronunciamiento de la gran Mexico, por el restablecimiento de la constitucion y las leyes.* Mexico. 1829.

We have for a long time intended to present to our readers, a view of the actual condition and prospects of our immediate neighbor, the Republic of Mexico. Recent occurrences have

combined with the essential peculiarities of her history and institutions, to command on the part of the citizens of this country, the most anxious attention; and whether the result of internal dissension or foreign invasion has been the object of solicitude, in regard to Mexico, the public mind has of late been singularly agitated. Recent events were not, however, requisite to give to New-Spain, a paramount importance in the eye of the American politician. Her comparative and absolute influence in the cisatlantic family from extent of territory and density of population, her great physical resources both in a mineral and agricultural point of view, the uniformity in most respects of her political institutions and our own, her complicated diplomatic relations, modified by an onerous foreign debt, and by the encouragement of foreign corporations, and the investment of foreign capital for the improvement of the mines, are independent circumstances, which render her condition a worthy object of interest. We should not so long have postponed the performance of this part of our duty, had it not been for the uncertainty of the prospect and the impenetrable cloud in which an almost ludicrous series of revolutions has involved Mexican affairs. In three years there have been no less than three violent changes of administration, and more local and unsuccessful rebellions than we shall be able to record. To calculate the chances of permanent government in such a political atmosphere, or at any time within the last year, to venture to foretell what might be at the end of a given period, would have been idle. We shall not pretend to predict even now. The elemental war seems in a measure to have subsided, but we have had too much experience in observing Mexican signs of times and seasons, to trust without reserve to cloudless skies and smooth seas. Hoping sincerely that Mr. Jefferson's theory of the salutary influence of frequent rebellions and political commotions may be sound, we will endeavor to give to our readers an intelligible narrative of what has occurred, and a candid expression of opinions of the conduct of the various statesmen who have regulated the policy of Mexico, derived from an attentive, and we believe, impartial consideration of the whole subject. There are several collateral points, to which we may give an incidental notice.

It is fair to premise that our admiration of the Spanish American character is not excessive, and that the result of our observation of the conduct of the new republics since the ter-

mination of actual contest with the mother country, has been severe disappointment. It is but just to ourselves to add, that, great as has been our disappointment, we never have doubted their capacity for self-government. We do not doubt it now. In common with the great body of our fellow-citizens, the progress of the revolution was watched by us with the most intense anxiety. It was a spectacle comparable in point of moral grandeur only with our own struggle for freedom. The patriots of the South were judged worthy of as lofty pedestals as those on which the venerable figures of our own classic worthies stood; and the names of Bolivar, San Martin, Hidalgo, Allende, and Morelos, were as completely consecrated by the fervor of our admiration, as those of any of our revolutionary heroes. There was a vague, we had almost said, irrational enthusiasm on this subject, in which we all equally partook. This kind feeling has gradually given place to a comparative indifference, which, we fear, is, in the minds of many who have had more frequent opportunities of immediate intercourse, but one shade removed from positive aversion. The change of feeling to which we have referred, has been regularly progressive since the period when, by the annihilation of the Spanish power, the new republics no longer needed our sympathy. They had fought the battle bravely, and in its alternate successes and reverses, they had had the cordial wishes of every man in our country. When the triumphant result was achieved, the world looked with equal interest, if not with equal confidence, to their conduct of civil government, and to the event of the most trying period of national existence, the interval between the termination of successful rebellion and the establishment of definite political institutions. That period also ended happily, and constitutions of a perfectly intelligible and well-settled character, though of varied forms, were adopted by all the infant communities. Columbia fixed her constitution in 1821, during the turmoil and confusion of a most bloody civil war, and the Federal government of Mexico went into operation in 1824, while the enemy, an enemy too of most faithful vigilance and determination, was still within her borders. In all these national charters, there were details little consonant with the legitimate provisions of free institutions, and practical inconsistencies at which their sanguine admirers were startled. That nations who had been so long and conscientiously contending for equality of privileges and perfect freedom of thought and action, should, by express

constitutional provision, decree religious intolerance and punish the profession of religious tenets at variance from the national standard of doctrine, could not easily be conceived. This is mentioned as one of the sources of the change of sentiment to which allusion has been made. It was, however, in itself unimportant. The actual state of society, and the influence of ancient habit, in a great measure excused it. Had there been nothing else at variance from our wishes and hopes, such incongruities would have been forgotten. The fruitful causes of discontent have, however, developed themselves since, and may be found in the terrible intestine commotions that have agitated the new republics, of which the impulse has been individual ambition or military licentiousness, and the result too often the virtual prostration of civil liberty at the foot of some successful factionist—in the total want of that sympathy which we anticipated from the uniformity of our political institutions—in the comparative indifference, if not absolute ill will towards us, which has generally been manifested in the course of our diplomatic intercourse, signally so in the instances of the failure of all attempts to negotiate a commercial treaty with Mexico, and the perverse disappointment of the enlightened and beneficent views of our government by the annihilation of the Panama project. These are some of the many causes of the alienation of our affection from our republican neighbors. There are beside peculiarities of Spanish American character, known only by actual and constant intercourse, which have had some share in contributing to the same result. We have referred to the effect of these circumstances as matter of sincere regret. It is, however, a fact beyond dispute, that the inhabitants of the Spanish American countries stand, if not positively, at least relatively, low in our estimation, intellectually, morally, and politically. We question very much whether even 'forty-five' of our national representatives could now be found to participate in the enthusiasm so eloquently expressed on this subject on the floor of Congress not fifteen years ago. We have entered on these prefatory remarks reluctantly, but with a firm persuasion that they embody the real, if not the avowed sentiments of a great portion of our fellow-citizens. We must not be understood to say that we have no sympathetic feeling with our fellow-republicans. We have a sensitive and rational sympathy, too sensitive not to perceive defects of character and conduct, too

rational to allow us to pass them without censure, or at least without the expression of regret.

The character of the revolutionary contest in Mexico was essentially distinct from that of the struggle in the other colonies of Spain. The sufferings of the inhabitants of the Viceroyalty of New-Spain, from the consequences of civil war, were far less severe. The conflict, though as enduring in its continuance, had but a local violence; and while scenes were acted of the most bloody and ferocious nature in parts of its territory, the great portion of the population, though not insensible to the excitement, were not immediately exposed to the dangers and sufferings of the conflict. It may be said of the revolutionary war throughout Spanish America, that its characteristic was irregularity. To New-Spain, this distinction particularly belongs. When the difficulty of cooperation with the juntas in the mother country was strongly felt in Mexico in 1809, and dissension occurred between the Viceroy and the Audiencia, the discord was scarcely perceived beyond the limits of the capital. Hidalgo's overt act of rebellion was also limited in its influence, and the effect of the first active revolutionary movement was as partial as its success was temporary. The line of his march from the small village of Dolores, where he raised his standard, to the hill of Las Cruces, within view of Mexico, whence he commenced his fatal and mysterious retreat, and thence to the wilds of Chihuahua, where he was captured and executed, may be traced by the violent combats which attended his career; but except on this line, the country seemed to be tranquil and resigned to any result. Of the unsuccessful attempts of Mina and Morelos, particularly the former, the same remark may be made; and until the close of the war immediately anterior to the adoption of the plan of Iguala and the defection of Iturbide, it may be described as a succession of brilliant, but incoherent struggles, partaking more of the character of a series of accidental insurrections, than of a continuous civil war. The duration of the contest, conducted, as it was on the part of the Spaniards, with scattered forces and inefficient leaders, and the fact, that, with the single exception of Calleja, the conqueror of Hidalgo, and, as he has been called, not inappropriately, the Spanish Claverhouse, no single general officer of distinguished military ability is to be found among the Spanish leaders, strongly illustrate this. Had it been otherwise, and had the same persevering effort been made

by the mother country in Mexico as in Columbia, though the ultimate result would unquestionably have been the same, the contest must have continued much longer, or with the increased necessity of common action, and the imminence of common danger, a more complete and effective organization of the patriotic forces would have been secured. As it was, the revolutionary spirit prevailed by its own essential strength, and from the beginning to the end of the war, the brave men who were acting in opposition to the Viceroys, acted without responsibility or control. If a more thorough excitement had prevailed in the Provinces, this independence of the revolutionary leaders must have ceased, and either a civil or military supervising power would have been called into existence. In May, 1811, Rayon, a chieftain of great capacity, and the first who realized the necessity of producing, by means of a General Congress or Junta, more harmonious cooperation among the enemies of the old dynasty, attempted to convoke a convention at Ziticuazo. In this project, representation of the people seems to have been less an object than the creation, no matter whether by regular or irregular means, of a controlling tribunal of some kind. It met, published a manifesto expressive of the feelings by which the members were actuated, and their views as to the most politic course to be pursued, and, after having continued its sessions for a few months, dissolved by its own weakness, or rather merged in the more general Congress convoked in the following year by Morelos. This distinguished man had, it would seem, from the commencement of the war, cherished with the deepest interest the project of a General Congress, and appears to have been prevented from sooner putting it in execution only by the continuance of the personal danger to which he was exposed. With the most chivalrous spirit, he combined a mind of singular capacity and penetration; and whether he directed military movements, or advised plans of civil policy, he was beyond all question the ablest and most efficient enemy of the Spanish cause that acted a part in the drama of the times. On the 13th of September, 1813, his Congress, composed of the surviving members of Rayon's Junta, of deputies from the province of Oaxaca, the only one wholly in the possession of the insurgents, and of the representatives chosen by them of the provinces in the hands of the royalist troops, met in the town of Chilpanzingo. Its history is soon told. The only acts of the Congress worthy of note, were the declaration of Mexican Independence,

published immediately after its convention, and a sketch of a Constitution for the new Republic, prepared a few months before the termination of its session. At the moment of the convocation of the Congress, the bright star of Morelos had begun to decline, and in the month of November, 1815, after an uninterrupted series of disastrous reverses, he was taken and executed by the Spaniards. On his fall, the Congress seemed to have lost its active principle, and, after maintaining an uncertain existence for a few months, was forcibly dissolved by General Teran. Thus terminated the only two attempts at regular government made in the whole course of the revolution of New-Spain, and with them ended even the appearance of cooperation among the insurgent forces. Mina's invasion followed, and on its disastrous result the energies of the revolutionists seemed paralyzed; their leaders without troops, without money, without means of communication or counsel, were scattered over the face of the country, wandering among the recesses of the mountains; and so perfect was the tranquillity, and so complete the submission, that the Viceroy wrote to his government that the revolution had ended, and that without the aid of an additional regiment, he would ensure the quiet possession of Mexico to the Spanish crown.

The military occurrences of the Mexican revolution are familiar to our readers, and we have incidentally referred to them merely as illustrative of our views of the domestic politics of the Republic. The peculiarities of the contest exercised a decided influence in producing the singular and unfortunate state of feeling to which the origin of parties may be traced. Beside the absence of any organized government, there is another circumstance connected with the concluding years of the revolution, which we will here mention. In 1819, the military contest ended, and during the two years which intervened between that time and the coronation of Iturbide, the succession of events may be more distinctly traced by the various pacific compromises and negotiations which occurred, than by acts of violence and bloodshed. Between 1820 and 1821, there were no military movements of any moment. The restoration of the Spanish Constitution had embarrassed the Royalist leaders extremely, and occasioned a dissension in the ranks of those who before had looked with undivided attention to a single object, and had never deviated from the most perfect unanimity. Royalist hitherto had been a specific term of

precise meaning. A distinction was now drawn between constitutional Royalists and absolute Royalists. The temporary liberty of the press and the institution of a comparatively fair mode of judicial inquiry, gave a license to all parties, by which all were strengthened but the Absolutists, and the Viceroy and his counsellors found their power gradually diminishing by the injudicious liberality of the government they represented, and for whose rights and possessions they were so strenuously contending. The first appearance of Iturbide as a leader, was in the execution of a project of the Viceroy Apodaca, to proclaim the absolute authority of the King in New-Spain, in opposition to the Cortes. In such a project, Iturbide's intelligence and knowledge of the real state of feeling throughout the country prevented him from earnestly involving himself; and his first act, when invested with authority, was by a politic and really beneficial compromise between the Independents and Constitutional Monarchists to give the death-blow to European dominion in Mexico. The *grito* which announced the treaty of Iguala was the knell of the authority of the Spanish monarchy. The provisions of that plan and of the treaty of Cordova, concluded on the arrival of the new Viceroy, were conceived in a spirit of judicious and necessary liberality. The latter was a virtual abdication and disavowal of the rights of the crown of Spain, and its date is that of the termination of the revolution.

The effect of this pacific termination of the conventions of Iguala and Cordova, was the security of the great body of Europeans resident in the country. This result has been pregnant with injury to the happiness and tranquillity of the new Republic. Had the same bloody scenes been acted at the close as at the commencement of the war, and the same exasperation existed generally during the years immediately anterior to the formation of the new government as did locally on the first explosion of the patriotic feeling, the Spanish residents could not have survived, and their expatriation would inevitably have been the consequence of the triumph of the American arms. A plausible pretext for party violence and political profligacy would by such a result have been withheld, and the most fruitful source of animosity would have been cut off. Hostility to the Spanish citizens has been the distinction, for want of a better, of one of the Mexican political sects, and their removal has been the theme of the most acrimonious controversy. Had they been expelled during the excitement of a civil war, and exile been

made the penalty of hostility unequivocally manifested towards republican principles, there would have been no cause of complaint. But to expatriate inoffensive men and good citizens, solely on account of their origin and parentage in spite of *guarantees* and contracts voluntarily made, and more than once solemnly ratified, is an act of political iniquity, which we should be ashamed to excuse. We regard the recognition of the rights of the Spanish residents as a subject of regret, as the necessary effect of circumstances. We consider the violation of those rights as a measure as impolitic as it was unjust. We shall have occasion to refer again to the persecution of the Spaniards in pursuing the narrative of recent events; and in delineating, as we propose to do, the parties which under one name or another have ruled the destinies and distracted the peace of Mexico.

We approach this history of parties with diffidence and reluctance. We know too well the obscurity which shrouds political history in our own country and times, to hope accurately to discriminate between contending parties abroad, or to attempt to give more than a general outline of the distinctive principles of the classes of individuals into whose hands the administration of Mexican affairs has fallen. Since the institution of the new government, there has been a political conflict of unexampled violence and exasperation between parties of nearly equal strength, the first consequence of which was to paralyse the energy of government, even in times of tranquillity, and the ultimate effect a series of revolutions destructive of every thing but the forms of the constitution. It is in the history of these recent commotions that political distinctions may be accurately learned, and to a faithful narrative of these events we invite the attention of our readers.

In the legislature or convention, which assembled after the dethronement of Iturbide, the germs of political discord became animated. The first question agitated in that body was, whether the consolidated or the federal form should be adopted as the basis of their Constitution, and on this point the most intelligent and patriotic Mexicans differed. The example of Columbia was urged on one side; that of the Federal Union of the North American States on the other. The superior energy of a national government legislating for all its citizens, particularly in time of war, was suggested by the Centralists. The danger of the want of a safe local legislation, and of tyran-

nical usurpation of power by an uncontrolled political head, was vehemently insisted on by the Federalists. The principles of the latter, as is well known, triumphed, and the present Constitution, when once recommended by the Legislature, went into operation without opposition elsewhere.

The adoption of a federal form of government by the constituent Congress of Mexico, has been regarded as a conclusive proof of the enlightened intelligence and salutary policy of her first legislators. We are not prepared to say that this approbation is entirely undeserved; but we do say emphatically, that, by identifying the supporters of a central government with the friends of despotism, or even with the blinded advocates of pernicious or impracticable systems, great injustice has been done. The advocates of centralism were amongst the most liberal and enlightened of the patriots of Mexico. They thought they saw in a Federation of Independent States difficulties of real and insurmountable magnitude, and the experience of the last few years shows that these apprehensions were not wholly groundless. We in our own happy country are very apt to give more weight to the analogy of our political experience, and of our institutions, than they deserve; and that process of reasoning is most unsound, by means of which we conclude, that because our form of government works well, it is therefore the most eligible for other nations. In Mexico, for instance, where the argument was most strongly, but we think inappropriately used, the points of difference between its situation and ours, at the time of forming the Constitution, are most striking. Before the organization of the Federal Union in 1787, we had our Confederation, and before that, the various colonial legislatures acted in their different spheres with harmony and security. Canada and New-York are not more distinct than were New-York and Pennsylvania before the confederation of 1778. In Mexico, before the revolution, there was a perfect political consolidation. The Viceroy and Audiencia ruled the whole kingdom of New-Spain; and the Intendencies, which were subdivisions made for the convenience of the government, and not in consequence of any physical or territorial limits, bore no such resemblance to the well-defined and distinct communities among the British colonies. Not only, therefore, was it necessary to organize the Federal Government, but to create the states of which the Federation was to be formed; and not only was it necessary to supply the Legislature of the Union with

members competent to perform their duty, but to find intellectual supplies to sustain each state legislature.

It had been the policy of the Spanish rulers to keep the inhabitants of the colonies in profound and utter ignorance of political science, and to disqualify them by circumscribing the limits of their observation, and giving an unpropitious turn to their studies and pursuits, from conducting the business of government, or executing its most trifling trusts. This policy had been in great measure successful; and it was in the practical ignorance of the great mass of the population, and in their admitted inability to perform public duties, that the friends of a central, and therefore a simple, government, found a strong argument. In a community of men competent from actual experience to assume political responsibility, a complicated system, requiring the support of many, may be practicable; in a community of separate existing states, jealous of their privileges, and proud of their essential separation, it may be necessary; but to undertake the delicate and laborious process of first dividing, and then joining together; of first making the States, and then the Federation; of first making a political scheme, and then finding men capable of putting it into operation, was more than careful politicians could advise, and what none but the most sanguine could hope to see succeed. All these difficulties might, it was urged, be obviated by the organization of a central government, which would in time of war secure the concentration of the national energies, and in peace preserve to every citizen his rights. It is difficult to deny the strength of such reasoning, and we freely confess that suggestions such as these, which were forgotten in the singular glow of pleasure we felt on learning that our fellow-republicans had followed our example in organizing their infant institutions, have recently revived in our minds. In a former number of our journal,* our readers will find a view of the superiority of a central government as applied to Columbia. We refer to the sentiments there expressed, as in unison with the opinions which an attentive consideration of the subject has led us to form in regard to Mexico. In Columbia, where the question of the relative advantages of Federalism and Centralism was first agitated, there were many inducements to the adoption of a Federal Government, which did not exist in Mexico. At dif-

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ferent periods, during the revolutions, the various departments of the country had declared themselves substantive communities, and had, in the course of the war, by their separate acts, acquired at least the jealousy of independence. For some time anterior to the meeting of the convention which assembled at Angostura in 1819, the four great divisions of Popayan, Venezuela, Carthagena, and Cundimamarca, had been acting separately. These were not merely political creations, but divisions distinctly marked by physical peculiarities, and by difference of population and climate. The inhabitants of the different provinces were in a great measure strangers to each other, having been debarred from frequent and harmonious intercourse, as well by the physical barriers of rivers and ridges of almost impassable mountains, as by the secluding policy of the Spanish Government. To join these distinct bodies into one community, to be governed by one council and common laws, was, therefore, it would seem, far less easy than to organize a confederation, by means of which the delicate duty of local legislation should be left to the States, and which would not wound the feeling of State pride, which, as we have said, antecedent independence had created. Strong, however, as these inducements were, the difficulties of producing an harmonious confederate action, with a population so ignorant and inexperienced, or even of organizing a safe confederacy, were too manifest, and a large majority of the convention of Cucutà wisely approved the project of a consolidated government. In Mexico, it is impossible to find any inducements corresponding to those which so naturally operated on the Federalists of Columbia. There had been no previous cooperation of independent States; there had been, in fact, no independent States to cooperate, no particular State or Province having assumed a separate character and government. There were no strongly marked lines to divide one portion of the country from another, and the population was equally ignorant and inexperienced. There were in reality as perfect consolidation and natural unity as could be devised. In the estimate of the merits of the two systems, we are aware that the opponents of central governments for the Spanish Americans will appeal to the experiment of Columbia, and to the melancholy spectacle her politics present, as affording a complete refutation of all our praise of her Constitution. It would be a sufficient answer to such a suggestion, to say, that the federal experiment in Mexico has

been quite as unsuccessful, and that, if we are to determine the question of the comparative merits of the forms of government by a comparison of the condition and prospects of the nations, the actual condition of the latter country is conclusive. How well the central system of Columbia would have worked, had the nation not been cursed by the presence of an individual of paramount abilities and uncontrolled ambition, it is impossible for us even to conjecture. But that it has failed, and that the nation has been convulsed by intestine feuds, are no more to be ascribed to a defect in the system, than the destruction of a town by an earthquake is to be attributed to a want of skill in the architect who raised it. It seems wholly unreasonable to conclude that the Columbian Constitution was radically defective because General Bolivar has overthrown it. If the Mexican legislators, instead of involving themselves in the intricacy of National and State governments, had organized a simple and efficient machine, for the management of which they were perfectly competent, we are inclined to believe, particularly in the absence of any individual whose talents and influence were formidable, that the administration of their affairs would have been far more easy and prosperous. They would have been more exempt from factious influence and party animosity. The pernicious consequences of the unauthorized and deplorable interference of the State and Federal authorities with each other, would have been avoided. The difficulties of an indirect mode of collecting revenue by quotas, to be raised by State taxation, would have been unfelt. We confess we are not a little influenced in arriving at this conclusion by the observation of recent events, and by the absence of any visible cause of political commotions, such as have lately agitated Mexico. It is but ordinary justice to a set of individuals who have been so much reviled as the friends of a central form of government, to state fairly even the possible advantages of their favorite system, and to give them the benefit of the inference to be drawn from the actual failure of the Federal Constitution.

After all, the Constitution, which was adopted in 1824, and which has continued in operation ever since, is in many particulars but nominally federal. The essence of a federal government is the harmonious and distinct action of the National and State councils in their respective spheres, and an exact specification, as far as is practicable, of the powers delegated to the Government of the Union. Whatever is not

expressly given or necessarily implied is reserved. These distinctions the Mexican legislators have failed to realize, and an awkward interference of the two powers, wholly inconsistent with our ideas of a Federal Union, has ensued. We have not time to do more than cursorily refer to them now. In 1827 and, for aught we know, at this day, several if not a majority of the Governors of the States were military officers of the Federation holding their commissions, and receiving their pay from the Government of the Union. The troops of the Union are under their command whilst on duty in the States, and a military staff of a duplicate character is constantly in attendance to execute the various duties of the ill-defined office.—The Governors of the States, even when having no official connexion with the general Government, are liable to impeachment at the suggestion of either House of Congress for almost every official misdemeanor, and particularly for infractions of the Constitution by the publication of laws contrary to the general laws of the Union and to the constitutional orders of the President; and if an impeachment be determined on by the requisite majority of the Chamber where the accusation is made, the person charged is *ipso facto* suspended from his employment and placed at the disposal of the competent tribunal. That tribunal is the Federal Judiciary, organized under the name of the High Court of Justice, by whose decision a State Governor may be punished in any manner and to any extent. The power of deciding upon the constitutionality of a State law is vested in Congress, and no right to control that body in the course of legislation exists in any branch of the Government. The States are encouraged to interfere in the National legislation by an express provision in the Constitution authorizing them to suggest to Congress such enactments as they may think worthy of adoption. This privilege has not been thrown away, and to one accustomed, as every citizen of this country is, to regard an interference of the State Legislatures as an impertinence, and any the least assumption on the part of the National Government as a usurpation, the legislative records of Mexico will present much that is novel and surprising. The separate jurisdiction and powers of the two great branches of the Federation seem to have been beyond the comprehension of those who framed the Constitution in the first instance, or those who have administered it since. Two instances of this confusion of legislation are recorded, and may be referred to as strikingly

illustrative of the new character of the Government of Mexico. In the spring of 1827, at the time of the commencement of the excitement against the Spanish residents, and soon after Mr. Esteva who had been recently appointed by the President to the Commissariat at Vera Cruz was ordered by the Legislature of that State to return to the capital at twenty-four hours' notice, the Secretary of Foreign Affairs addressed a letter to the Congress of Vera Cruz making inquiries with regard to some supposed disturbances within that State. He was answered that perfect tranquillity existed. In the course of a few weeks, the Governor of Vera Cruz for the attainment of an object of local interest, or in consequence of some apprehended disturbances, called the Legislature together in extraordinary session. No sooner had they met, than the Cabinet at Mexico took the alarm, and the Secretary again wrote to the Congress at Jalapa, indignantly remonstrating at what he called the disingenuousness of their conduct, and inquiring why an extraordinary session was requisite at a time, when, as they said, the public tranquillity was undisturbed. Accidentally the Legislature found spirit enough to resent the tone in which this inquiry was made, and after having the subject under discussion for several days, determined on a proper and laconic reply. The Governor was instructed to remind the Secretary that the convocation of the Legislature at an unusual season might be a measure as well of precaution as of necessity, that it might be neither, but merely expedient for the promotion of local interests, and that when in the opinion of the Legislature it was proper to communicate information to the General Government, it should not be withheld. Another equally characteristic incident recently occurred. In the spring of 1829, on the downfal of Pedraza and forcible elevation of General Guerrero to the Presidency, Mr. Lorenzo de Zavala, then Governor of the State of Mexico, and a warm personal and political friend of the new President, was appointed Secretary of the Treasury. Unwilling to resign the political influence he was enabled to exercise as Governor, he and his friends procured the passage of a law, by which he was permitted to hold both offices, though he was to perform only the active duties of the Treasury department. In the course of a few months, in consequence of one of the sudden and inexplicable changes to which the political atmosphere of Mexico is liable, this permission was unexpectedly revoked, and Mr. Zavala's opponents discovered

that the offices were incompatible. Rejoiced most probably at an opportunity of extricating himself from the responsibilities and embarrassments to which the incurable disorder of the finances of the Union exposed him, he without hesitation resigned his Secretaryship, and announced his intention to resume his State duties. Unluckily, however, in his absence the political party to which he was attached had dwindled into a minority, and his enemies, anxious to preserve the ascendency which his absence had enabled them to secure, were driven to the necessity of devising some plan by which he could be prevented from resuming the authority of Governor. The Legislature then in session at Tlalpam, the capital of the State of Mexico, by a considerable majority passed a resolution declaring, that though the absolute right of Mr. Zavala to resume his office was unquestioned, yet that his acts whilst Secretary of the Treasury had been of such a nature as to work for the present a moral incapacity for the performance of his duty as Governor,—that he was clearly entitled to the honor and emolument of the station, and was only debarred from the actual administration. To this decision Mr. Zavala found it expedient to submit, and in this equivocal situation he was obliged to continue, until a new revolution might give him an opportunity of again entering on public life.

Such are a few of the most notable instances of the confusion and inconsistency to which we have referred. Many others might be found, and all illustrate the truth of the opinion, that to denominate the Government of Mexico Federal Republican, in the sense we give to those epithets, is an error of language; and that whatever may be its name and form, and however great the merit of its founders, it possesses many of the characteristics of centralism or real consolidation.

We have entered on these detailed observations on the true character of the Mexican Constitution, with a wish to enable our fellow-citizens accurately to understand the analogy which really exists between our institutions and theirs, and properly to estimate the conduct and opinions of the two political parties which originally were formed. Before the year 1824, these theoretical opinions were their distinctive attributes, and in fact as in name they were Centralists and Federalists. By the adoption of the present Constitution, and the consequent triumph of the Federalists, the Central party lost in a great measure its importance, and such of its leaders as were still anxious to

maintain its existence, were compelled to look out for new principles, by which it was to be sustained. These the course of political events soon enabled them to find.

The parties of Mexico have been compared to the Federalists and Democrats of the United States. This comparison is in most respects as unfair as the others to which we have had occasion to refer. In some particulars only there may be detected a slight shade of resemblance. Federalist and Democrat, even with us, are words which convey no adequate idea of the opinions, which those who invented the names severally professed. Each party was in fact composed of individuals differing on many points, and often directly agreeing upon none. Mr. Madison was a Federalist in 1787, and without changing any one of his political opinions became a Democrat in 1798. Fragments of sects coalesced, and by means of such combinations, the many-colored being, called a party, came into existence. In its formation we can trace the action of no peculiar and important principle, and in the result we see nothing but the effect of the strong necessity of union in order to secure influence, and of the sacrifice of unimportant subjects of difference of opinion. In the want of any well-settled principle in their origin, and in this combination of heterogeneous materials, there was a resemblance between the parties of the two Republics. In one material point, however, there was a total dissimilarity. At the end of our revolutionary war we had but few if any native citizens of Great Britain resident amongst us, and claiming an equality of privilege in all respects with Americans. In Mexico the old Spaniards formed an integral and most important portion of the population. They were important from their numbers, their intelligence and their wealth. They had resided in the colonies for a long period of time, and had formed connexions which firmly bound them to the soil. By the pacific termination of the revolution, and the stipulations made between the contending parties, the rights of the Spanish residents had been definitively secured, and at the time the new Government went into operation, they were in the full enjoyment of every right and privilege belonging to native citizens. They were eligible to almost every office under the Constitution, and no distinction was recognized by the laws which affected them injuriously. Thus situated and protected, it might be supposed their station in the community could have been highly enviable. But notwithstanding appearances, and all the legislative barriers

by which they were protected, there was an abundant source of anxiety and apprehension open to them in the known jealousy and aversion of the great mass of the people. They were too well aware of the existence and of the causes of animosity not to be anxious to devise means for their own protection, and with this object they were naturally led to mingle in the incipient political strife, and to look for the safest and most natural associates. That they had ulterior and less pure objects in view originally, we do not think it reasonable, without stronger evidence than has as yet been produced, to believe. However that may be, the Spanish interest formed an important material in the organization of parties. To this body of men, were naturally joined the clergy, both regular and secular, among the latter of whom particularly were many individuals of pure, and what is more rare in Mexico, of unsuspected patriotism; the landholders and other men of wealth and property, who saw the principle of danger in the superiority of their pecuniary resources, and in the insatiable rapacity of those by whom they were surrounded; the friends of a Central system; and we may add, a great body of disinterested citizens, who were actuated by the most honorable motives, and who conscientiously believed the safety of the infant Republic to depend on the participation of some of their enlightened political associates, and on the adoption of a moderate and conciliating policy.—The composition of the rival party, unjustly compared to the Democracy of the United States, was of a very varied character. There were in it, we can easily believe, some individuals of honorable and consistent patriotism, men who had been severely tried in the school of the revolution, and who were ardently attached to republican institutions; amongst these were most of those who in the Constituent Congress had warmly and successfully advocated the adoption of the Federal Constitution. These were honest politicians practically and in theory. The remaining components of this ultra-liberal party were less free from the suspicion of impure motives. The remnant of the faction which had persisted in its devotion to the late Emperor Iturbide, and who, when their idol was in prosperity had always regarded those who now appeared among the leaders of the Spanish party, (we use the name for want of a better,) as his most determined foes, joined the new sect, and seemed anxious to atone for their former sins by the profession of the most exalted patriotism. The great body of the officers of the army, and

that still more numerous class of necessitous political adventurers, which is the natural offspring of a revolution, which is scarcely perceptible whilst the waters are in agitation, but which rises in scum to the surface as soon as they become tranquil, also attached themselves to it. Little penetration is requisite to foresee which of parties so organized would be numerically most powerful, and which in the natural course of events would triumph. Independently, however, of the inherent sources of power, which the latter of these political castes enjoyed, they had the inestimable advantage which deep-rooted popular prejudice gave them, and the auxiliary of a popular watchword, by means of which subsiding passion might at any moment be renewed. 'Exile to the *Gachupines*' was written in bright letters on their standard, and under a banner so inscribed there was no difficulty in always rallying an efficient force. So early as 1824, the expatriation of the European residents was made the pretext of rebellion by General Lobato, whose insurrectionary talents we shall hereafter again have occasion to commemorate, and from that time to the present it has been the prolific theme of all the radical politicians of the Republic.

At the first election of the chief magistrate, after the adoption of the Constitution, the contest was between two distinguished revolutionary patriots, each representing, in a measure, one of the parties we have mentioned, Generals Nicolas Bravo and Guadalupe Victoria. The latter was duly elected President, and the former Vice-President. Though in the decision of this first election, the political distinctions were not perfectly defined, and other interests were involved, there was enough party feeling mingled in the contest, to give to it a high degree of importance. On entering on his official career, General Victoria, it is believed, found himself placed in a situation of great embarrassment and perplexity. His responsibilities were very great. With little or no political experience, he found himself at the head of an untried government, the success of which depended wholly on the vigor and prudence of his administration. An enemy of the most determined character was without, anxiously waiting for an opportunity to attempt reconquest. Relations with foreign nations were not definitively settled. Within, political animosity and party exasperation were working actively. Every thing seemed to obstruct the easy and successful progress of the Cabinet. Two courses of policy were presented to the new President, between which it was necessary for him to decide.

The one was, to act decidedly with one of the contending parties, and by giving to the object of his preference all the influence of the Government, to secure to it a permanent ascendency. The other, to attempt the difficult task of conciliation, and by means of his great personal popularity, and an impartial distribution of official favors, to assuage existing animosity and reconcile political opponents. Which of them, in a community constituted like Mexico, would have been the most politic and ultimately beneficial course, it is useless even to conjecture. Victoria seems not to have hesitated to adopt the policy of conciliation, and by doing so he evinced the goodness of his heart and the purity of his motives. He formed his first and subsequent cabinets of individuals of both parties, and, generally, in the distribution of office, seemed to be directed by no wish, other than to avoid committing himself with either. He resolutely abstained from all participation in political consultations, and so determined was he in his impartiality, as to give an almost ludicrous air to his caution and reserve.* Unhappily, this anxiety to be uncommitted, in the mind of an inexperienced politician, is too apt to degenerate into indecision, if not absolute imbecility; and while he was resolutely determined to grant no more favors to one than to the other class of individuals, Victoria seemed to want sufficient energy of character to check the excesses of either. This indecision and want of moral efficiency on the part of the executive, though resulting from a good motive, was destined to be the cause of a series of misfortunes to the Republic.

In 1825, the two political Mexican sects acquired consistency and a specific character, by their connexion with masonic associations. Of the distinction between the two sects of masons, we are wholly ignorant, and can therefore account for their adoption by the two political factions in no other way than by the natural supposition, that they were resorted to as affording a convenient mode of secret consultation and efficient cooperation. Be the distinctive masonic principles what they may, the members of the Scotch and York lodges have become in Mexico identified with zealots of the two orders, and *Escoces* and *Yorkino* are terms of political distinction, which are

* The political wags of Mexico used to say of President Victoria, that, in his anxiety to avoid the appearance of partiality to either party, when he rode in the Alameda, he made it a point always to sit in the middle of his coach.

perfectly well understood, and, on that account, terms of great convenience. The Scotch lodge appears to have been instituted in Mexico at a much earlier date than its rival. The first York lodge was organized in Mexico in 1825. We wish it to be understood, that we are neither masons nor anti-masons. We neither believe masonry to be coeval with the world nor coincident with all the good that has been done in it, nor do we believe masonry to be of satanic origin, and wholly inconsistent with the spirit of our free institutions; but, perverted, as we believe it to have been in Mexico, from its proper objects and genuine principles, and converted into an engine of political warfare, we most sincerely deplore its encouragement in any country. In a community oppressed by despotism, and struggling for liberty, secret associations may be convenient as affording secure means of harmonious action; but in a country swayed by no tyranny, and liable to no oppression, except what party animosity affords, they may be viewed as so many nurseries of political rancor and factious malignity. In Mexico these affiliated juntas soon organized an effectual correspondence, and in the midnight conclaves of the masonic societies, if rumor is to be credited, the various plans and modes of policy were devised, which were to be ultimately suggested and discussed in the councils of the nation. All the active politicians were not, however, actually attached by regular initiation to the lodges; but so general was the adoption of one or the other of the societies by those who were prominent in the career of domestic politics, that the appellation became sufficiently distinctive, and though all the *Liberal* party (to use their own language) were not technically Yorkinos, nor all the Spanish party Escoceses, yet every politician, so far as the political distinction went, was either Yorkino or Escoces. In point of talent and moral vigor, the Escoces party has always had a decided advantage. In its ranks were found, without exception, all the Spanish residents, among whom were many individuals distinguished for their high intellectual culture and accomplished education. To these may be added a number of Mexicans, who, in the course of the revolution, and particularly during the existence of the Cortes, had travelled abroad, and visited not only the mother country, but England and France. To most of these individuals, many of whom have filled the most elevated offices of the republic, we most readily pay the just tribute of unqualified respect. We believe them to be the true

patriots of Mexico, actuated by pure motives, and aided by more experience and practical information than many of their fellow-citizens can pretend to. Numerically, as we have before observed, the Yorkino party has been, and so long as its unity is preserved, will continue to be, the stronger, and it is to be peculiarly regretted that among those into whose hands the Government is most likely to fall, there should be less enlightened intelligence, and, as we think has been made apparent in the persecution of the Spaniards, less moral rectitude than among those who form the minority.

From the time of the presidential election to the end of the year 1826, there was profound tranquillity in the Republic. The conciliatory policy of the executive seemed to answer all its ends, the foreign relations of the country were most favorable, the national credit was high, and the payments of interest on the loans were regularly made; a vast amount of capital had been invested by foreigners in the mines, and by means of the permanent interest thus created in the preservation of tranquillity, the most sanguine anticipations of national prosperity were not unreasonably entertained. In the Cabinet at Mexico, it was known that decided differences of opinion had existed. The interests and principles of the Escoces party were sustained by a decided majority in the Senate, and a small but equally effective one in the House of Representatives; whilst their opponents by indefatigable exertions, the aid of the press, and a dexterous use of circumstances, showed every disposition to contest their ascendency in the administration of affairs. Still, strong as the symptoms of approaching disorder were, there was so much confidence reposed in the President, and so decided a disposition to yield to his personal influence, that but for a series of unforeseen accidents, the tranquillity of the nation, though from a want of essential elements it could not have been permanent, might have been much longer continued. In the early part of January, 1827, a Dieguino monk, of the name of Arenas, was arrested in the capital on a charge of being implicated in a treasonable conspiracy to overthrow the Government and restore the dynasty of the Bourbons. What evidence was produced against this man, in relation to whom there was a division of opinion as to his sanity, we do not know, having never seen any specific statement of the charges against him, or even a general report of his trial. The narrative of the plot, as given by the Yorkino party on his arrest, carried

absurdity on its face, and was conclusive of one of two things, either that the whole matter had been got up to promote a political end, or that Arenas had been selected as weak enough to allow himself by artful suggestions to be involved in a palpably impracticable and senseless plot against the Government. Numerous arrests were made of various insignificant priests and subordinate military officers, and Arenas, after lingering through all the forms and delays of Mexican criminal judicature, was, on the second day of June, 1827, shot by order of a military commission at the palace of Chapoltepec. A few months previous, additional cause of alarm and distrust had been given by the sudden arrest of two distinguished Mexican officers, Generals Negrete and Echávarri, on a charge of a similar kind. These two individuals, both of whom had been officers in the revolutionary service, in addition to the specific offence for which they were arrested, had the indelible stain of European nativity, which rendered them at once ready objects of suspicion, and most acceptable offerings to public prejudice. They were arrested at midnight in their houses, and taken from the capital to prison, one in the castle of Perote, the other at Acapulco. After a long judicial investigation, of the details of which the public learned but little, one, if not both, was sentenced to permanent exile, and is now residing in this country. In relation to the merits of this alleged conspiracy, we speak with great diffidence, for the simple reason that we are noticing subjects of which we are in great measure necessarily ignorant, but from what we do know, we have no hesitation in saying, that the extent and importance of the plot of the Padre Arenas and his followers were greatly exaggerated. Had it been as serious as was at first supposed, others beside a half-witted priest would have been detected and punished, and a detailed history of so foul a conspiracy, involving, as it would have done, a large and detested portion of the community, must have been given to the world.

The consequences of these arrests, and of the dark suspicions to which they gave rise, may easily be conceived. A new impulse was given to the popular hostility towards the European residents, and a great accession of strength resulted to the Anti-Spanish party. Exile and confiscation were talked of without reserve; placards of the most inflammatory character were circulated; memorials from the Yorkino Legislatures were daily sent to Congress, urging that body to act; the elec-

tions had been generally strongly influenced, and it was soon apparent that it would be almost impossible to stem the torrent of prejudice and persecution. The President himself at last yielded, and a succession of legislative measures were adopted by Congress, the result of which has been the entire expatriation of the Spanish residents. It commenced in 1827, by the publication of a law declaring all natives ineligible to office, and ended in the passage of a law by considerable majorities in both houses, directing the President immediately to give passports to all the Spaniards remaining in the Republic.

We have already had occasion to mention the conduct of Mexico towards the European residents, and now recur to it merely to state the precise contract which the legislators of the new community have found it expedient to violate, and the prejudicial consequences which have ensued. When Iturbide first raised the flag of opposition to the Viceroy, he found it necessary to pursue in the outset, the policy of conciliation and compromise. He had been deputed as well against the Constitutionalists as against the Republican Insurgents, and it became necessary for him in order to sustain himself, to devise some plan by which these two classes should be united and their interests identified. The fruit of his reflection was the plan of Iguala. Its provisions, as far as they affect the privileges of the Spaniards, are perfectly distinct. It provides for the maintenance of the religion of the Church of Rome, for the union of the Creoles and Spaniards, for the independence of Mexico, for the privileges and immunities of the clergy, and for the protection of the persons and property of the citizens. It declares, finally, all the inhabitants of New-Spain, without distinction of persons, Europeans, Africans and Indians, and their descendants, to be citizens, and to be eligible to all offices according to their merits and virtues. This plan, objectionable as it was in some of its features in the eyes of the Republicans, was acceded to by all, and must be considered as a solemn national compact, vesting certain rights in all who were parties to it. The treaty of Cordova between Iturbide and O'Donoju followed. In all the provisional governments, which were formed in the interval between the treaty of Iguala and the adoption of the Federal Constitution, there was the same indiscriminate recognition of the rights of all the residents. Under the Constitution of 1824, the privileges of the Spanish citizens were more positively ascertained. They were declared

citizens; they were made eligible to every office except to the high executive stations and to the cabinet Secretaryships; and so certain did the framers of the Constitution wish to make their security, that among those excepted from the disabilities of aliens, natives of Spain resident in Mexico are expressly mentioned. In 1826 and 1827, there was more than one member of Congress who was a Spaniard by birth. In addition to these protections expressly provided for them, their property and persons were secured by the sections of the Constitution, prohibiting the confiscation of goods, or ex post facto laws, (*leyes retroactivas*. Art. 147, 148.)

In violation of all these solemn contracts, the majority in Mexico have determined, and apparently without compunction, to sacrifice the unfortunate, and we cannot but think, unoffending Spaniards. We have said that it is matter of regret, that the Spanish residents had not left the country during the revolution, or as soon as its result was ascertained. Had they then been forcibly exiled, a sufficient excuse would have been found in the necessary excitement of the times, and in the sense of severe oppression to which the Creoles were immediately liable. But it is to the iniquity of the sacrifice of rights deliberately and unequivocally guaranteed, that our censure relates. State necessity, we have been often told, is the tyrant's plea; but even the tyrant, before he resorts to this, his worst and weakest apology, usually so far yields to public opinion as to show a case of strong necessity. In Mexico, it is true, there is an attempt to show the necessity of an act of injustice and confessed infraction of law. It has been a feeble and ineffectual attempt. We are, say the advocates of proscription, at war with Spain, and it is unsafe to allow a participation of the privileges to the children of our enemy, who must still have some affection to their parent. Why then, it may be asked, were they ever allowed the privilege, of which you seek to deprive them, and why, if it is said there was a necessity of conciliation at Iguala, was an express recognition inserted in the Constitution? But it is said, they are plotting against the Government, and engaged in treasonable correspondence with the mother country. The answer to such suggestions is obvious; let the guilty be punished, and let the punishment be boldly vouched as the just retribution of an offended public. Let the severest penalties of the law fall on the heads of the offenders, but let the law which recognizes privileges, have as fair a chance as that which prescribes punishment.

The impolicy of obliging the Spaniards to leave the country of their adoption, has, we believe, been severely felt. In consequence of their enterprise and wealth, the greater portion of the commercial business of the country had fallen into their hands. Their credit was high, and so great was the available capital which they controlled, that it was matter of great convenience, as well to the foreign as to the native merchants, to transact business with them. Their perfect integrity, contrasted as it was with the characteristic dishonesty of the Creole traders, gave a degree of confidence to all who were connected with them, which is essential to mercantile enterprise and success. The wealth and character of the Spanish capitalists contributed in no small degree to the credit of the Government abroad; for so long as the Spaniards remained in the country, and were interested in the preservation of tranquillity, and in the successful result of the political experiment, the national creditors abroad felt that they had a permanent security; and it is perhaps not venturing too far to say, that, had not this source of confidence been cut off, even though there had been irregularity in the payment of the interest, new loans might have been negotiated. As it was, the first failure of Mexico to pay the interest on her foreign debt, was contemporaneous with the first invasion of the rights of the Spanish merchants, and the natural result of this unfortunate coincidence was the immediate suspension of all confidence abroad, and the fall of the stock even below the low level of the other American securities. Since the departure of the only capitalists in Mexico, the necessities of the Government have increased as their sources of supply have diminished; no foreign loans can be negotiated, commerce has declined, and the only mode of borrowing money at home they have themselves cut off. The principal source of revenue has always been the Custom-House, and since the decline of the public credit, this dependence has also in great measure been withdrawn. The large mercantile establishments of the Spanish merchants, extending over the whole country, and able by their wealth to establish branches both on the coast and at the chief towns in the interior, afforded facilities to the commercial communities, which were most sensibly felt. All these advantages, by this act of injustice, and, as we believe is now admitted, of impolicy, have been lost.

The number of *desterrados* was very great. Neither age nor poverty afforded an exemption, the law being enforced with

great rigor, and the shores of every neighboring country were strewed with the broken remnants of the once majestic vessel of the Spanish power in America. Many of the emigrants, on their arrival in the United States, whither a large majority repaired, as to the nearest place of refuge, were totally destitute of means of support. In New-Orleans, scenes of most agonizing distress were exhibited, and to such an extent was it carried, that but for the benevolent exertions of the inhabitants of that city, many of these unfortunate exiles would have perished from want and exposure. In Mexico, the individual suffering was intense; wives were separated from their husbands for want of the pecuniary ability to accompany them; fathers were torn from children whom they were obliged to leave with the most uncertain means of support; the humblest *arriero* in the country, dependent for actual sustenance on his peculiar labor, had to yield obedience to the stern mandate of the Government; and the poor ballet-master, who had been so instrumental in affording amusement to the ungrateful legislators of the metropolis, was equally affected by the penalty of the law, with the most active Escoces, who had the misfortune to have been born in Spain. It might be considered as a comparison almost ludicrous, to point out the analogy of the exile of the Spaniards, to the standing instances of impolicy, the revocation of the edict of Nantz, and the expulsion of the Moors from Spain; but in no respect, neither in folly, importance, nor consequences, as respects Mexico, are they very dissimilar. In the origin of all three there is a strong resemblance. Prejudice and fanaticism of one kind or another were the impulses in all.

It is to the excitement occasioned by the conduct of the Government towards the Spaniards, that we may immediately ascribe an event which ensued, and which, as being the first of a series of rebellions and revolutions, and as thence becoming authority for what followed, every friend of Mexico, and republican institutions, must cordially regret and condemn. We refer to the abortive plot, which was developed in January, 1828, and is generally denominated the rebellion of Otumba. At the head of it, unhappily for himself, his party and his country, was the then Vice-President of the Republic, Nicolas Bravo. No one, who has made the revolutionary history of Mexico a subject of study, can fail to recollect the agency of this distinguished individual in promoting the successful result of the contest. As a patriot, General Bravo was unsuspected,

having proved his unwavering fidelity by sufferings and sacrifices of more than ordinary severity; as a soldier, he was distinguished by his untiring determination and romantic courage, and as a man, he had acquired a distinction the brightest and proudest a military man can secure, of never, in the course of a long and ferocious war, in which the courtesies and moderation of civilized conflict were by common consent disregarded, having been betrayed into a violent or vindictive act, or having unnecessarily stained his sword with blood. His father and brothers had at different times been butchered, by order of the Viceroy; yet with all these inducements to the indulgence of revenge, it is recorded to his honor, that no prisoner of war who happened to fall into his hands, ever had reason to complain. To this gentleness of disposition, he added a most faithful attachment to the country of his birth, and a rooted aversion from the control of the mother country. He was one of the earliest opponents of Iturbide, and was an active member of the temporary government, which was organized on his fall. On his election to the Vice-Presidency, he experienced the usual fate of the second officer of a federal government, and ceased to act a prominent part in public affairs. As the leader of the Escoces party, however, he continued to sustain his importance, and to him, as one of the candidates for the Presidency, public attention was more or less directed. His political sentiments, in most respects, were ascertained, and it was perfectly well known, that to the proscriptive and harsh policy of the Yorkino party he was decidedly opposed. However unequivocally his sentiments on this subject were expressed, there was too much confidence reposed in his patriotism and characteristic moderation, to allow any one to anticipate so mad an act of opposition to the constituted authority, as the revolt of Otumba. The history of that attempt may be told in a few words. The first alarm given in the capital, was in the last week in December, 1827, when it was ascertained that a colonel in the army, of the name of Montaño, had raised the standard of rebellion, and published an inflammatory manifesto at Otumba, a small village near Mexico. At first, this movement was carelessly regarded by the Government; and it was not until it was ascertained that several leaders of the opposition party, among others General Bravo, had secretly and mysteriously left the capital, that the probable danger was realised. The President immediately issued his proclamation, calling on

all good citizens to support him in the performance of his constitutional duties, and despatched a large force under the command of General Guerrero, to suppress the revolt. Bravo, after leaving Mexico, wandered about almost unattended, and unable to form a junction with the other conspirators, which he at last, and with difficulty, effected. Guerrero marched immediately on Tulancingo, a small town not far distant, whither the rebels had removed their head-quarters, and compelled them to surrender without a blow. To the decision and promptitude of the Secretary of War, Gomez Pedraza, aid of the leader of the government troops, may be entirely referred the sudden and easy suppression of this ill-concerted revolutionary movement; for had enough time been allowed to the conspirators to rally their friends and political adherents around their standard, in the excited state of the public mind, a different result might have occurred. As it was, numerous individuals of rank and personal as well as official distinction, were on their way to join the Vice-President, and it is impossible to say how far the conspiracy may have extended. Among these was General Barragan, the Governor of the State of Vera Cruz, who was arrested and sent with General Bravo to Mexico for trial. The result of that trial, conducted as such procedures in Mexico usually were, without publicity, was the conviction of Bravo and his associates, and their permanent exile from the Republic.

We have not time to inquire what were the real objects which General Bravo and his followers proposed to attain, nor what degree of credit to give either to his assertions of perfect purity of motive, or to the dark accusations of his political opponents. The plan of Montaño contained a specification of various supposed grievances, accompanied with an imperative demand on the executive for redress; it required the suppression of secret societies, a change of ministers, the delivery of passports to Mr. Poinsett, our minister at Mexico, who had become obnoxious to the party, and concluded with a general requisition that the provisions of the Constitution and laws should be religiously enforced. Whether there were ulterior objects of a more improper character, as the Yorkino party have vehemently declared, is a question which, for all the purposes of condemnation, it is wholly unnecessary to examine. It is little consistent with General Bravo's known sentiments and previous conduct, to suppose, that he acted for a moment

in concert with any who meditated a restoration of the authority of the Bourbons, and we freely acquit him of so much of the charge which his enemies have preferred; but no terms of censure are too strong for the man who, to gratify the impulse of passion or to redress imaginary or real injuries, can expose his country to the risk of civil war, and endanger the existence of republicanism itself, by giving a precedent to future malcontents, and some shade of authority to the gloomy prophecies of monarchical calculators. There were in Mexico, doubtless, injuries, personal and political, which needed redress; there had been, in the case of the old Spaniards, a flagrant violation of the fundamental laws of the land, which it is reasonable to suppose, had been severely felt by those who, from principle and feeling, were strongly attached to that portion of their fellow-citizens; but the course the patriot, however indignant, would have pursued, is widely different from that which the rebels of Otumba chose to follow. General Bravo's personal influence was great, and by his example all his adherents would have been guided. Had he used that influence to assuage, not exasperate the animosity which existed, and to induce his dependents to await the certain and just operation of public opinion, he might before this time have enjoyed the consolation of saving the country, for whose liberties he had shed his blood, from the agony and convulsion it has since experienced. In thus strongly condemning the conduct of these misguided men, we must be understood as grounding our censure on general principles, and not on the vague and intemperate accusations of political zealots of any side. The righteous indignation of the Yorkino leaders at General Bravo's conduct, presents, as we shall have occasion to see, a strong contrast with their revolutionary movements in the following year.

How far the Escoces party generally were involved in the insurrection of Otumba, can be of course only matter of speculation. It is, however, a fair inference, that, approving as they unquestionably did, of the various objects specified in Montaño's manifesto, they would not have complained of the mode adopted, had it been successful. Its defeat was a serious, if not a fatal blow to their interest. It not only gave a color to the accusations of their adversaries, and in that way a support to their cause, but by withdrawing so strong a competitor for the chief magistracy at the ensuing election, ensured the elevation of the popular aspirant. General Vicente Guerrero had long

been before the people as a candidate for the Presidency in 1828, and had been chosen as the leader of the Yorkino party. For the two years immediately antecedent to the election, the probability of his success had been gradually becoming stronger; and when, by the exile of Bravo, his only formidable competitor was withdrawn, the probability was matured into certainty. The primary elections, which took place in the summer of 1828, for the members of the Legislatures, which were to choose the President, were all, with few exceptions, as was supposed, favorable to the Yorkino interests. In the interval, however, between the suppression of Montaño's revolt and the election, a political coalition had been formed, which, but for a resort to arms, would have utterly disappointed the wishes and expectations of the ultra-democratic leaders. The Escoces party had united with the seceders from the Yorkino party, who, under the name of moderate or middle men, had acquired considerable influence. The candidate selected by this combination was Gomez Pedraza, then Secretary of War. He had originally been an active member of the Yorkino party, and had acquired, in the administration of his office, great credit and influence by his energy and ability. On the occasion of the late rebellion, he had been mainly instrumental in producing the result which ensued, and was on that account supposed to be the last man to whom the Escoces party were likely to adhere. It is certain, that the support which they gave him was wholly unexpected. The election took place in September, 1828, when, to the utter mortification and discomfiture of the Yorkino leaders, it appeared that their candidate, on whose elevation they calculated with so much confidence, as the only means of sustaining their favorite policy, was in a minority. Ten States had voted for Pedraza, and eight for Guerrero. It may be easily conceived, that such a result produced the utmost consternation in the ranks of the ultra party, and that violent, we wish we could believe honest indignation, usurped the place of confidence and exultation. To them it was immaterial whether a decided opponent or a moderate or doubtful friend were elected, since their hopes and calculations depended wholly on the elevation of one on whose sympathies they could securely rely. From Pedraza, elected as he had been by their enemies, and tainted, as they supposed him to be, with moderate principles, they could hope for little. The alternatives were left to them of submitting quietly to the new dominion,

as good citizens and patriots, and of trusting to the result of a constitutional inquiry into the alleged illegality of the election by the State Legislatures, or of having recourse to a forcible redress in an appeal to arms.

At this period of popular excitement, a new character appeared on the stage. This was General Antonio Lopez de Santa Ana, then Lieutenant-Governor of the State of Vera Cruz. This young soldier, after the fall of Iturbide, to which he had greatly contributed, had been living in retirement on his *hacienda*, near Jalapa, and by remaining for several years in perfect seclusion, had ceased to be an object of public interest. By all who knew his signal military abilities and talent for political intrigue, he was regarded as one of the most dangerous of the citizens of the Republic. He was a Centralist in 1824, and had always been charged, how justly we do not pretend to say, with hostility to the administration of the first President. The storm which now seemed on the eve of bursting on the Mexicans, afforded to this discontented chieftain a strong inducement to appear anew, and a fair opportunity at once to conciliate his political enemies, and to place himself in an imposing and popular attitude before the nation. Scarcely had the news of Pedraza's election circulated through the country, when it was ascertained that Santa Ana had raised his flag in Vera Cruz, and before the government could realise that a new civil war had broken out, with characteristic activity he had invested and seized the castle of Perote. On his banner were inscribed the fascinating mottos of redress of popular grievances, and the utter extirpation of the *Gachupines*. President Victoria immediately issued his proclamation, denouncing the attempt of Santa Ana as treasonable, and imploring the assistance of the country in support of the lawful authority of the Republic. The energetic and decisive language of Victoria in his proclamation deserves to be quoted, especially as we shall have occasion to contrast it with the temporizing and submissive tone he was obliged to use in the course of a few months to the armed rebels of the capital. After referring to the pretended patriotic objects of Santa Ana, he says—

'It is no new artifice to allege specious motives to excuse ambitious designs, and although the Mexicans have been taught by experience to close their ears against such suggestions, it is my duty to repeat to them unceasingly, that he profanes the name of

the country, who invokes it in order to substitute his private will for the legitimate power of the Constitution and the laws. No more execrable offence can be committed by a citizen. It is a crime which degrades freemen, who, when by association they constitute a Republic, disclaim any other mode of expressing their opinions but through the medium of the constituted authorities. It is an abuse, which unless repelled with vigor and energy, must lead to the total dissolution of society.

'For these reasons, the Government in conjunction with the august Congress of the Union, is taking the most decisive measures to cut short at once, the evils with which the Republic is threatened, to re-establish confidence and restore peace.

'And since the indignation evinced by the people on witnessing the revolutionary movements that occurred at the beginning of the year, was sufficient to dissipate them like smoke, I once more call on you, my fellow-citizens, to lend your assistance to a Government, which has no other object but the national prosperity, and which throws itself with confidence upon the Constitution of the Republic,—the holy principles which we have proclaimed—the firmness and wisdom of the General Congress and of the Legislatures of the States and the inextinguishable attachment professed by the Mexicans to their liberties and laws. If anarchy again menace us, let us baffle its impotent efforts. Woe to the wretch who dares profane with impious hand the pages of that Constitution, which is the idol of our hearts ! !'

To this animated appeal of the executive, the nation responded with apparent cordiality, and the new insurrection seemed on the point of sharing the fate of its predecessor, the Otumba plot. Santa Ana, after defending the fortress of Perote against the government troops, was obliged to abandon it and to seek refuge in the Province of Oaxaca, where in the inaccessible recesses of the mountains, and amid a population devoted to his interests, he hoped to escape until the outlawry, which had been declared, should be revoked. The denunciations of this abortive attempt at revolution were not confined to the Federal executive; the press reviled its abettors as parricides and incendiaries, the State Legislatures sent addresses to the President, promising their aid in suppressing the rising spirit of anarchy, and could we form any opinion of the actual state of public feeling from these manifestations, we should say, that by all parties, revolutionary attempts of any kind were regarded with equal aversion. Yet amid this loud expression of patriotic fervor, seditious and violent measures were secretly

planning, and the seeds of a fatal and terrible revolution were actually vegetating.

On the 6th of October, 1828, about a month after Santa Ana first took the field, Don Lorenzo de Zavala, Governor of the State of Mexico, and the most active among the Yorkino leaders, was arrested at his house in San Augustin, on a charge of being implicated with the insurgents, and actually in correspondence with them. This charge was specifically made in the Senate, and after an animated debate of several days, it was determined that there was ground of accusation and reasonable suspicion. It was entirely within the constitutional capacity of Congress, or either branch of it, to order the arrest, which was made by a warrant from the Senate. Whether or not Zavala was guilty of the charge thus solemnly preferred against him, it is difficult with our inadequate information to conjecture. In a manifesto since published by him he has vehemently asserted his innocence, and complained most feelingly of the proscriptive measures of which he was the victim. Beyond this assertion and these complaints, he has offered no exculpation, and against them his accusers have produced evidence, which if uncontradicted, is conclusive of his guilt, or at least a justification of the proceedings instituted against him. To the world one circumstance will suffice to justify suspicion, if not conviction. Unwilling to stand the judicial inquiry, with which he was threatened, a short time after his arrest, Zavala found means to escape from the city of Mexico, and, accompanied by but a single friend, concealed himself from pursuit. Had he been innocent, he would have sought, not shunned inquiry, and would have appealed with honest confidence to the bar of public opinion for complete absolution. It is idle to pretend that he was afraid to trust himself in the hands of vindictive enemies, and that on that account, flight affords no fair presumption of guilt. The government party was not strong enough (and no one knew their weakness better than Zavala,) to sacrifice an innocent and popular man, to gratify personal and political hostility. His friends were too numerous and influential to submit to such an outrage. With this damnatory circumstance in the case, the friends of Zavala must produce less questionable evidence than they have offered, to relieve him from reasonable suspicion, or to fix on his accusers the imputations which have been made against them.

In the interval between Zavala's flight and the end of the

following month, (November) the public mind, particularly in the capital, was agitated by vague and undefined apprehension of danger; but whence it was to proceed, and in what form to come, no one could tell. The government party, and the friends of the President-elect, were conscious that they were unprepared to control any formidable movement among the people, and could not calculate what time would be allowed to gain the strength they needed. The populace of the city composed, as it is, of the most heterogeneous ingredients, was agitated by various feelings; the desire of rapine in civil tumult operating on the licentious and necessitous, and the fear of personal danger and pecuniary loss agitating the orderly and wealthy. Among the foreign merchants, a strong feeling of apprehension existed, and they could not view the lowering elements of war and confusion but with genuine alarm. The events of the 30th day of November proved that these hopes and fears were not wholly groundless. On the night of that day, a detachment of the national militia, headed by an officer named Cadena, violently took possession of the artillery barracks on the outskirts of the city, known by the name of the Acordada, and announced their determination to annul the election of Pedraza, and compel the Government to enforce rigidly the laws against the Spaniards. The flag of rebellion was soon surrounded by all the discontented caballers of the capital, at the head of whom were Generals Guerrero and Lobato, and the fugitive Zavala, the last of whom had been for several days secreted in the neighborhood. A strong force, composed of several regiments of regulars, a portion of the organized militia, and the great body of the lower people, assembled around these leaders, and an imperious requisition to the effect stated, was sent to the executive. The President and his counsellors had but a small force to oppose to the rebels. The regiment of Toluca, amounting to about six hundred men, and a small detachment of troops which had just arrived, under the command of General Filisola, were all that could be depended on. Yet with this inadequate support, the Cabinet determined on resistance. To whom the first aggression is to be attributed, is not ascertained. Each party accuses the other of being the assailant. It is not difficult, however, to point out the individuals on whom the odium of the frightful scenes which ensued ought to fall. It belongs to those desperate partisans who raised their hands against the laws and Constitution of their

country, the first occupiers of the Acordada. In the course of a few hours after it was ascertained that the constituted authorities were determined to sustain their legitimate rights, and were not disposed to submit to the pretensions of armed rebels, the city of Mexico was converted into a field of battle and a theatre of carnage. It has been the boast of the Mexican eulogists, that never, during the revolution, were the large cities of the Republic profaned, nor the noble institutions which they contained endangered by the immediate presence of hostilities and violence. It was reserved for republican Mexico to exhibit the revolting spectacle of civil war in its capital, and before the face of its first magistrate. For three days a violent and sanguinary combat continued in the principal streets of the city, the palace and the Acordada being the respective head-quarters of the Government forces and the rebels. Several officers of distinction on both sides were killed. The success of these combats was various, and with so much spirit and ability was the defence of the palace conducted, that but for the irresolution and singular unwillingness to rely on his military counsellor, displayed by the President, it is more than probable that this outrage would have met with just retribution. On the 4th day of December, the first compromise was suggested, but failed in consequence of the reluctance of the rebels to accede to any thing but unconditional compliance with their demands. General Guerrero, who, during the siege, had remained in a very unequivocal attitude at a neighboring village, arrived at this time in the city with a reinforcement for his friends, and it soon became evident that the crisis was at hand. On the same day, Pedraza left the city with a small company of friends, the Congress dissolved itself, and the President, forgetting the dignity of his station, and his personal and official elevation, repaired to the quarters of the enemy, and agreed to a capitulation. The measure of Mexican dishonor was not yet full. Had the scenes of violence and turmoil closed with the virtual extirpation of the Government, and the civil war been limited in its pernicious influence to the overthrow of Constitutional authority, deep as would have been the disgrace, there might not have been found wanting those who would have excused what had occurred. But what succeeded the capitulation of the 4th day of December, 1828, no one, however bigoted and determined in Yorkino propensities, will, we hope, excuse. A portion of those who had so readily clustered around Mr. Zavala and his patriotic junta,

had other than political ends to attain. Their appetites were far too craving to be content with such gratification. The *leperos*, amounting in number to several thousand, and many of the militia, immediately on the cessation of hostilities, demanded, as their reward, the pillage of the capital; and their leaders, it would seem, could devise no pretext for denial. The active men in the revolt, must, on this occasion, have found an excuse for their conduct in the complying disposition which had been manifested toward them. For two days, Mexico was the victim of uncontrolled and licentious pillage. The *parian*, or large bazaar, where the principal retail stock of the city was deposited, and where there was at that time property to the amount of many millions of dollars, was the principal object of attack. There, the Spanish merchants had generally resided, and there the Mexican populace could find at once the richest and most welcome plunder. Where the stores could not be opened by less violent means, fire-arms were applied, and the most wanton destruction of property ensued. Valuable goods of all kinds, cloths, plate, jewelry, were scattered about the city, and sold by the plunderers of the parian for almost nothing. The depredation was not directed entirely against the warehouses of the Spanish merchants; the property of Mexicans and foreigners alike was sacrificed. It was not until the third day after the pillage commenced, that the victorious party found courage to check the tumult, and even then order seemed rather to be the result of satiety than constraint.

The political change which followed this disgraceful scene was complete. Pedraza, unable to resist the torrent which was setting against him, had left the city during the affray, and soon after, probably finding but little hope of ultimate success in a contest with his triumphant adversaries, demanded his passports, and has since resided in England in voluntary exile. Victoria, thrown by circumstances into the hands of the dominant faction, was compelled to appoint new Cabinet ministers. The election which had recently been made, was declared null and void; and Congress, which had reassembled, pronounced Guerrero to be duly chosen President, and General Anastasio Bustamente, a distinguished officer and active Yorkino leader, Vice-President. On the installation of the new officers further changes were made, Zavala was fully acquitted of all the charges which had been preferred against him, and as a reward for his important

services was made Secretary of the Treasury, and Santa Ana, the execrated outlaw, in consideration of his merits, was promoted to the War Department.

The revolution which was thus effected, has not wanted apologists even in this country. In the violation of popular rights, which is supposed to have attended the election of Pedraza, it has been said there was a justification of all the outrages that were committed; and it has been specified as one of those extreme cases in which the people were at liberty to take redress into their own hands. We cannot view it in this light. By every man who is not tainted with the worst and most dangerous radicalism, it cannot but be regarded as a pernicious violation of well settled law, and an unjustifiable attempt to overthrow a government, which had nothing to excuse it but success. In forming this estimate of the conduct of the leaders of the Acordada insurrection, we have been guided solely by the statements of Mr. Zavala, in the publication, whose title we have prefixed to this article; and in the emphatic condemnation of it which, as friends of republican institutions, we feel it our duty to pronounce, we have adopted, perhaps erroneously, the narrative made by this Coryphæus of the plan. It cannot, at least, be said, that we have resorted to improper sources of information. In the manifesto, to which we have referred, we have no hesitation in saying there is the avowal of the most shameless political profligacy, and the expression of sentiments which, we hope, it would be injustice to his friends to suppose they entertained. Were such opinions to be acted on with us, we might, on the occurrence of the first strong political excitement, be called on in our own tranquil times, to witness scenes of civil war and bloodshed, and to behold our own republic sunk to the low level to which our neighbors have been unhappily brought. We earnestly deprecate all approval of such sentiments, and all apology for such conduct. Let us, in the true spirit of justice, view all attempts at the subversion of constituted authority with equal detestation, and not fall into the irrational inconsistency of Mexican politicians, and in one moment stamp with reprobation Bravo's abortive treason, and celebrate with praise or extenuate with sophistry the triumphant rebellion we have just described. The same principle regulates both, and it is to that principle our condemnation refers.

By the complete triumph of the Yorkino party, and the

organization of a popular executive administration, it was believed, the permanent happiness and tranquillity of the Republic were secured. On the vigor of General Guerrero, there was secure reliance, and sanguine hopes were entertained that the community, once relieved from the incubus of a monarchical faction, would soon be restored to political health. But the seeds of disease were deeply planted, and the specific of Yorkino ascendency was found to be ineffectual. The finances, which, it was supposed, were to be restored to order by the magic influence of the new minister, were inextricably entangled. Commerce was rapidly declining, and with it the revenue diminished. The army, strengthened in influence by its agency in the late revolution, had too long indulged in license to be subordinate now; and had not circumstances occurred from abroad to occupy the attention and require the energies of the military, it is more than probable that the fatal weakness of the new administration would sooner have been developed.

The arrival, however, of the Spanish invading army under Barradas at Tampico, in the summer of 1829, opened a new channel for public feeling. Our limits will not permit us to dwell upon the merits and details of this convulsive effort of the Spanish Government, to effect the reconquest of Mexico. We think too highly of the Spanish nation, to say that the determined obstinacy its rulers have manifested in relation to the former colonies is characteristic; we cannot but believe that the idea of the possibility of reconquest, exists only in the distempered brain of the monarch and his immediate counsellors, and that no one, who has paid any attention to the condition of the new republics, can suppose that any plan, however artfully and powerfully framed, can have more than temporary success. The attempt of the invading army on the coast of Mexico during the last summer, was a disgrace to the age. Those who advised, and those who actually assisted, are equally worthy of contempt and abhorrence. To land on the shores of Mexico at a season of the year when pestilence taints every breeze, with a feeble force, amounting in all to little more than four thousand men; to attempt the conquest of a country, through which, on account of physical impediments, it is difficult to march a body of troops even when unopposed; to take possession of an unfortified town which it was impossible to defend, and from which, no intercourse could be maintained with the shipping; to alienate the feelings of the people by acts of cruel and unnecessary oppres-

sion; to surrender without a struggle, and to abandon fellow soldiers to captivity and death, were acts alike worthy the commander of the expedition against Mexico, and those by whose orders he acted. On Mexican politics the Spanish invasion had a decided, though temporary influence, by diverting the attention of the nation from subjects of domestic grievance, and by giving the new administration the distinction of a military triumph. The proclamations of Guerrero, on the arrival of the Spaniards, contained the expression of the most fervent patriotism, and the success of his minister and favorite Santa Ana was hailed by the people generally with the utmost enthusiasm. But, with all the outward appearance of concord and unanimity, there was still a mortal rottenness in the political body, which was soon to produce its decay and ruin. The reaction of feeling, particularly among the military, was strong on the ultimate defeat and expulsion of the invaders, and we have to record another revolution less violent than any of its precursors, and far more unaccountable.

If the elevation of Guerrero to the Chief Magistracy, was, as has been asserted, a popular measure, his fall, after continuing in office not quite a year, evinces the slight confidence to be reposed in Mexican popularity. On the arrival of the Spanish invasion, Congress, in the exercise of their unlimited prerogative, had invested the President with extraordinary powers, to be retained until the danger should be at an end.

This dictatorship, the new President evinced a strange and decided unwillingness to resign, and his reluctance was quickly seized by his political opponents as a pretext for resorting to violence and compulsion. Various insurrectionary movements of slight importance occurred in several of the States, but no serious apprehensions were felt by those in power, until the fourth of December, 1829, the anniversary of the Yorkino revolution, when Bustamente, the Vice-President of the Republic, placed himself at the head of the army of reserve, stationed in the State of Vera Cruz, issued a proclamation denouncing the abuses and usurpations of the Executive, and commenced his march on the capital to enforce the threatened reform. Immediately on receiving the news of this alarming defection, Guerrero resigned his extraordinary powers, convoked the Congress, and appealed to that body for support. But the symptoms of increasing weakness had begun to manifest themselves, and the victors of the Acordada soon had reason to doubt the

continuance of their ill-acquired power. No sooner had the President left the capital with a small body of troops to meet the approaching enemy, than the *grito* of revolt was raised, and by the agency of several active politicians, a complete and bloodless revolution was effected. The troops in the city of Mexico, announced their adherence to Bustamente, and demanded the organization of a provisional government. Guerrero thus placed between two enemies, and suspicious of the fidelity of the few troops who still adhered to him, pursued the only safe cause which was left, by abdicating the Presidency, and retiring to his estate. His example was immediately followed by Santa Ana, and the other Acordada leaders, and the new government composed of a temporary Executive of two distinguished civilians, Velez and Alaman, and General Quentanar, assumed the administration of affairs until the arrival of the Vice-President, who was chosen by the troops as the temporary successor of Guerrero. In the hands of Bustamente and his party the government has remained ever since.

The process by which this last revolution has been effected, is, we confess, to us wholly inexplicable. The party by which it has been accomplished seems to be composed of individuals of the most contradictory political tenets, and of characters the least fitted for coalition. Federalist and Centralist, Yorkino and Escoces, seem to have forgotten all their differences, and we can discern in the composition of the triumphant party, no distinctive principle, by means of which we can explain the incongruities to which we have referred. To the influence and direct agency of the army can alone be ascribed this anomalous result, and to this source we are compelled to attribute the fall of that party which claimed to be exclusively popular, and of the individuals who had been chosen as their favorites. How long the government of the new rulers is to continue, is a question that no one can pretend to answer. If, as we have suggested, the last revolution is to be ascribed to the discontents of the military, the term for which the new administration is to enjoy their trust must necessarily be short, as the source of military discontent, the difficulty of making regular payments to the troops, has not been removed. Whilst the army exists in its present organization, and its influence continues to be so great, no safe political calculation can be made, as the result of any commotion must be regulated by its participation, and that leader must succeed who can control it. In a country so

unsettled there is of course little prospect of a diminution of this military influence. Had the first Executive of the Republic sooner realised the necessity of a retrenchment of the national expenses, the military force would most naturally have been the first object of economical reform, and even a rapid reduction of the army might have been effected before civil disorder occurred. Unfortunately, however, the community was infected with a military mania; military distinction was the object of universal ambition; and so powerful was the opposition thus generated to any attempt to curtail the army, that the administration found it expedient, and thought it necessary to remain satisfied with disbanding so much of the local militia as had been called into service. If the reduction of the army were one of the conditions, on which Pedraza secured the support of the moderate party in 1828, and if there be reason to believe that this pledge would have been redeemed, the true friends of Mexico will have additional reason to deplore the violence of which he was the victim. In Mexico, the character of the army is very peculiar. Its composition strongly resembles that of the whole community, being formed of various classes, castes and colors. They are as savage in appearance as in disposition. Long experience in predatory and irregular warfare during the revolution precluded the existence of any portion of the chivalrous spirit, which forms the distinction of military men in modern times. In the short interval of tranquillity which occurred after the surrender of the castle of San Juan de Ulloa, in 1825, the troops, both regulars and active militia, were quartered in the different garrisons and large cities, and indulged in every species of license and disorder. The most dignified occupation of the soldiery was police duty. Notwithstanding the ease of such employment, desertions were frequent, and so late as 1827 impressments to fill the vacancies thus created were constantly resorted to in the capital. On the first breaking out of the civil disorders, a new sphere of licentious action was opened to the soldiery, and each revolution has witnessed their active interference. In 1828 the regular army alone amounted to thirty thousand men, and it is not probable that any diminution has taken place since. Whenever the time arrives when no proper military occupation can be devised for this host, they will be turned loose to prey upon the community, and to defy the control of all authority. The hope of effecting a disbandment of the army, or of any considerable portion of

it, is now, we fear, almost desperate, and while it exists, and is able, as it must be, to exercise an influence in public affairs, we confess we can discern little chance of the restoration of permanent tranquillity, and the renewal of public confidence.

Such is the melancholy narrative of recent events in Mexico, and such the gloomy prospect of the future. To the enthusiasts in the cause of Spanish America, and to the rational friend of republican systems, the history of Mexican affairs during the two last years must occasion equal pain. If such enthusiasm imply approbation of any excess, which is called popular and democratic, or if it involve any sympathy with radical and dangerous politicians, we do not pretend to be among the former. To the latter class we are proud to assert our adherence. But while we cordially lament the degradation of our fellow-republic, we are not without a source of consolation even in the severity of our disappointment, and while we contemplate with regret the national humiliation of all the Spanish American States, the question will obtrude itself, what reason was there to anticipate a different result? Ages of unmitigated despotism had rolled over the colonies of Spain, in the course of which no means of education and no facilities for intellectual culture had been afforded. The prisoner, who from infancy has been shut up in a dungeon, is not more effectually secluded from the light of day, than was the great mass of the colonial population from the moral and intellectual light, which the rest of mankind enjoyed. They held no communication with European nations, they were visited by no travellers, they were debarred from all participation in foreign commerce, political experience they had not, and abstract political knowledge it was impossible for them to obtain. Suddenly the gloomy fabric of Spanish despotism was shaken to its foundation, and the enthralled population was in a moment freed from the shackles, which had bound it to the soil. To expect that in the short space of twenty years, beyond which time the actual revolutionary contest continued in no part of Spanish America, practical knowledge should be acquired, and a capacity for self-government created is more than the most sanguine would pretend. Bigotry, slavery, ignorance, and seclusion, require allowances, and now that we have fully realised their influence, we are ready to make them, and are most willing to ascribe to the appropriate causes all the melancholy results which we have recorded. A long period must elapse

before the benefits of untrammelled intelligence can be felt; and the severe discipline of national misfortune and individual suffering must be endured, before we can venture to pronounce the inaptitude of our fellow-republicans for the noble institutions they have endeavored to establish. Prejudice must be eradicated, ancient habit neutralised, public opinion purified by rational religious restraint, and delicate moral sensibility must be made to operate. The great truth must be acknowledged, that public and private integrity are identical, and the fatal error must be corrected into which the apologists of Mexican revolutions always fall, that the man, whose private life is stained by crime, or disfigured by licentious practices, can be a safe public agent, or a worthy executor of public trusts.

The truth cannot be disguised that in Mexico this salutary public opinion is not felt, and a high tone of moral feeling is not discernible. Our remark is, of course, a general one, liable to all the exceptions which each grateful traveller may make in favor of the instances of virtue and domestic and social worth that have fallen within his notice. As a general observation we deem it perfectly and easily sustainable; and until we can be made to believe that a moral improvement has been wrought, we must be excused from indulging in flattering anticipations of political tranquillity and happiness. In the recent commotions little trace of such a change is discernible, and in the school of civil discord there is but slight inducement to the practice of public or domestic virtue.

We have thus endeavored freely and candidly to state the opinions which a deliberate examination of the whole subject of Mexican politics has induced us to form. We believe that there is a radical defect in the constitution of society in that distracted country, to which may be attributed all that has occurred; and we apprehend the repetition of such disasters so long as the want of sound public opinion, acting directly on the community, exists. To supply that deficiency, we rely on the influence of time and general education, on the gradual eradication of prejudice, and free intercourse with the rest of the world. When the legislators and statesmen of the new Republic become qualified so to administer the trust confided to them, we may look to the permanent establishment of political institutions, and to a harmonious co-operation with the other nations of the world, for the promotion of the social happiness of mankind. Lord Bacon has said, that the four pillars of

government are religion, justice, counsel, and treasure; and that when any of them are shaken, 'men need to pray for fair weather.' In the same warning spirit, in which the English philosopher uttered this sentiment, we may say, that if the individuals now at the head of the government have strength to maintain themselves in the administration of affairs, the policy of conciliation and compromise in regard to political opponents, of vigorous retrenchment of the national expenditure, and of economical disbursement of the finances, is the only course they can pursue with safety. If, on the contrary, they fall into the error of their predecessors, and adopt a vindictive and proscriptive system, their early downfal, and a revival of civil war in its most hideous form, may be expected. Should such be the result, so great will be the exasperation on all sides, that it is impossible to realise the horrors which will ensue. Revenge on one side, and despair on the other, will induce the most fearful sacrifices. Rumors of the immediate approach of such confusion have already reached this country, and unhappily there is little reason to withhold credit from them. We regard the situation of Mexico with deep solicitude, and shall hail with sincere delight the hour when, emerging from the gloomy cloud, in which she now is, and has long been enveloped, she can assume that station in the family of nations, to which her real importance entitles her. Prejudice and error will, we trust, in time be dissipated. The steady light of refined intelligence will be shed over this portion of mankind, and the free institutions of our neighbor, like the bright summits of her own snowy mountains shining through a pure atmosphere, must be objects of genuine interest and admiration. When that day arrives, we may repose some confidence in republican sympathies.

ART. VII.—*Report of the Committee of the House of Representatives of the United States on Post-Offices and Post-Roads, to whom were referred the Memorials for and against prohibiting the Transportation of the Mails and the Distribution of Letters on Sunday.*
Counter Report of the Minority of the same Committee.

The laws of the United States which regulate the operations of the Post-Office Department, although they contain no specific

provision on the subject, have been supposed by the executive officers of the Government to authorise the transportation of the mail, and the distribution of letters on Sunday. Whether this construction be conformable to the intentions of the Legislature, or to the spirit, which has prevailed in the construction of the laws, which regulate the operations of all the other departments of the Government, may well be doubted. The practice of the Post-Office certainly forms an exception to that of all the other branches of the administration, whether of the General or State Governments, in all their ramifications, as well to that of the citizens at large, both in their individual and corporate capacities. The sittings of Congress and of all the State Legislatures are regularly suspended on Sunday. The courts of justice, the custom-houses, the banks, the land-offices, the compting-rooms, offices, warehouses, and shops of private individuals, are all closed on that day. The Post-Office alone continues its usual labors with unremitted activity, and with but little variation in its modes of proceeding. As the laws which regulate the operations of all the other departments, although equally silent on the subject, have been all construed to intend a discontinuance of the transaction of business on Sunday, it would perhaps have been more natural to put a similar construction on the Post-Office laws. For some reason or other—probably by the effect of mere accident—a different system has prevailed, and the practice of this branch of the public service has hitherto formed, as we have just remarked, an exception to the rule observed in all the rest.

The singularity of this circumstance, to whatever cause it may have been owing, has for some time past attracted the attention of many of the citizens in all parts of the country, and numerous memorials have been annually transmitted to Congress, setting forth the supposed inconveniences of the present state of things, and requesting such a modification of the existing laws, as would effect a change. Other memorials have in turn been transmitted in favor of perseverance in the existing system. There is no appearance of any improper or dangerous motive for these proceedings on either side; nor have those who have taken part in them been arrayed on one side or the other according to any sectarian divisions. The several religious sects, which, from their agreement in certain fundamental points of belief, are popularly denominated *orthodox*, are among those, which are apparently most desirous of a change in the existing practice;

while some other sects of considerable influence in particular parts of the country, and which hold a different opinion upon the points alluded to, have appeared to agree with their orthodox brethren upon this. It is understood that one of the petitions for a change in the existing practice was drawn up and headed by a justly respected Unitarian clergyman of this city, and extensively signed by individuals of the same persuasion. As the memorials in favor of a change proceed from citizens of all the different religious sects, it is probable, although we have not so direct a knowledge of the fact, that the same is the case with those who pray for the maintenance of the existing system. Both parties are, no doubt, equally honest in their belief of the expediency of the courses which they respectively recommend. The memorials on the subject, transmitted to the last and present Congress, were referred to committees which reported in both houses against a change. The petitioners are, however, apparently not discouraged, and will probably continue their efforts at the future sessions of Congress. The question, like every other connected with religious belief and practice, naturally excites a strong interest throughout the community; and we have thought that a few remarks upon it might not be uninteresting to some of our readers. The report, which forms the immediate subject of this article, is attributed to Colonel Johnson of Kentucky, who acted as chairman of the committee, and who had previously, when acting in the same capacity in the Senate, made a report on the same subject to that body, corresponding very nearly in substance with this. The counter-report, or protest, of the minority is attributed to Mr. Macreary.

Whenever any change is proposed in the existing laws, or the practice under them, it rests, as a general rule, with the party or person recommending it, to prove its necessity or expediency; and on this principle it would belong to the petitioners against the present system to show that it ought to be abolished. In this particular case, however, it strikes us that the general presumption against innovation, and in favor of existing laws and practices, considered as such, is rebutted by the fact to which we have already adverted—that the practice in the Post-Office Department is different from that which prevails in all the others. If the people, acting in their corporate capacity through their different agents, consider it a religious duty to suspend all the other operations of Government on Sunday, a presumption arises, that those of the Post-Office should also be suspended

for the same reason. The presumption being then in favor of a change, the burden of proof rests with those who support the existing system; and it belongs to them to show why the practice in the Post-Office Department ought to form an exception to that which prevails in all the others, and why the same religious considerations, which induce the people to suspend all their other political and private labors on Sunday, should not induce them to discontinue the transportation of the mail and the distribution of letters.

The committee, though apparently actuated by good intentions, and a laudable anxiety to maintain the political and civil rights of the citizens, have, we think, been led into error by not adverting sufficiently to the considerations detailed above. So far, indeed, are they from appearing to be aware, that the practice of the Post-Office Department is an exception from the rule observed in all the others, that they evidently consider the petitioners for a change in this practice as endeavoring to make it such. Thus they inquire, in the course of their report, 'Why the petitioners have confined their prayer to the mails—why they have not requested, that the Government be required to suspend all its executive functions on that day—why they have not required that our ships shall not sail—that our armies shall not march—that officers of justice shall not seize the suspected or guard the convicted?' The committee, when they put these questions, had obviously lost sight of the fact, that all the other functions of Government—executive, legislative, and judicial—are in fact suspended on Sunday, excepting in a few particular cases, like those which they enumerate, and which are made exceptions to the general rule on account of the great inconvenience which would result from its observation. If the jailer, for instance, were to suspend the exercise of his duty on Sunday, his prisoners would all escape; so that there is an absolute necessity for his continuing it. If the commander of an army were to suspend the exercise of his functions every seventh day, his adversary might, under certain critical circumstances, obtain such an advantage over him, as would decide the fate of a campaign—perhaps the political situation of the country. Here the inconvenience of observing the rule is so great as to produce a moral necessity of violating it, and so of all the other cases mentioned. The practice of the Post-Office can only be justified, if at all, in the same way, as a case of exception. The report, by not adverting to this circumstance, and by em-

ploying in support of the present system only certain general considerations, which might be applied with equal force in any other branch of the public service, proves either too much or nothing at all. The inconveniences apprehended by the committee from a discontinuance of the existing system, are of a remote and prospective kind, such as the tendency to a union of Church and State, and the inconvenience of diminishing in any way the activity of the business of private life. Now it is quite obvious, that these inconveniences, if there be any danger at all of their occurrence, would be as likely to result from a discontinuance on Sunday of the business of any other department as of that of the Post-Office. If the suspension of the transportation of the mail on that day have a tendency to bring about a union of Church and State—an apprehension which we believe to be wholly groundless—it is clear to us, that a suspension of the sessions of Congress, of the State Legislatures, or of the courts of justice, must have the same tendency in a still greater degree, in proportion to the superior importance of the business which would thus be kept in abeyance. Hence the reasoning of the committee, as we have just remarked, tends, as far as it has any weight, to show that the whole business of the administration ought to proceed with the same activity on Sunday as on any other day of the week. The argument, if it prove any thing, proves a great deal too much; and of course in reality proves nothing.

This defect in the reasoning of the committee is obviously a fatal one, and we are of course authorised, without seeking for any other, to reject their conclusion. It may not, however, be improper, considering the interesting character of the question, to examine a little more particularly the real importance of the objections alleged by them, to the application in the Post-Office Department of the same rule which is observed in all the others. These objections, as we have already seen, by proving too much, prove nothing—but independently of this defect, and supposing that we were willing to admit their validity to the full extent to which they can be applied, it will appear, we think, on examination, that they have in fact little or no real weight for any purpose. They are, if we rightly understand the reasoning of the report, the two following;

1. The tendency of the suspension of the transportation of the mail, and the distribution of letters on Sunday, to effect a union of Church and State.

2. The practical inconvenience which would result from such a measure, in the diminished activity of the ordinary business of life.

The second of these objections is the only one which appears to us to possess much plausibility, but as the former is that on which the committee insist most strongly, and which they evidently regard as the more important of the two, it may be proper to give it a moment's consideration.

On this head it is argued by the committee, that there are various opinions in the community, as to the proper manner of observing the Sabbath; that each individual has hitherto been left to pursue his own course; but that the effect of suspending the transportation of the mail on that day, would be to decide the question in favor of those who prefer a particular system, and would therefore come within the spirit of the clause of the constitution, which prohibits any legislative preference of one religious sect over another. It does not appear to have occurred to the committee, when they employed this argument, that the act of Congress regulating the transportation of the mail must necessarily provide either for carrying it or not carrying it on Sunday; and that if a provision for not carrying it be decisive of the question at issue between the sects in favor of one, a provision for carrying it is of course as decisive in favor of another. This being the case, it is obvious that the existing system involves precisely the same violation of the spirit of the constitution, which, if any, would result from the other.

It is plain to us, however, that there is not in either case, any violation of the spirit of the constitution, as there is confessedly none of the letter. The enactment of a law regulating the transportation of the mail is admitted to be within the power of Congress, and this law must, as we have just remarked, provide either for carrying or not carrying it on Sunday. In adopting one or the other part of the alternative, each member of Congress will naturally be governed by his own views of expediency and duty, excepting so far as he may have the instructions of his constituents. If he would hesitate as a private individual to travel or order his agents to travel on Sunday upon his own business, he will probably in like manner decline, as a representative of the people, to order their agents so to do. If on the other hand, he would feel no scruple on the subject in his private capacity, he would probably feel none in his public one. In either case, it does

not appear to us, that he imposes any trammels upon the consciences or acts of others. Each member of the community retains the same right that he possessed before of travelling or not travelling on Sunday, according to his own peculiar views, and, if these views have not been carried into effect by his political representative, he retains in full force his former right of giving his vote for another at the next election. In all this we can discern no appearance of any thing unconstitutional, either in letter or spirit, or of any thing at variance with the regular routine of ordinary legislation.

It is intimated, indeed, by the committee, that a political representative ought not in any case to be guided in the discharge of his official duty by religious considerations, and the same opinion is still more decidedly expressed in certain newspaper essays on the subject, that have happened to fall under our observation; the writer of which considers the 'being influenced in the exercise of temporal power by religious belief,' as neither more nor less than the union of Church and State, and afterwards declares, that 'it is the sacred duty of a representative, before he gives his vote upon a point any wise connected with religious considerations, to search the inmost recesses of his conscience, and to ascertain that religious belief is not operating in his mind as a motive to that vote.' But, independently of the objection already stated to this argument, as applied to the present case, namely, that a vote in favor of carrying the mail on Sunday is as much given from religious considerations, though of a different kind, as one against it, it is clear to us, that there is some very singular perversion of language, or obliquity of judgment, implied in these remarks, which if taken in their natural and obvious sense, are directly at variance with the plainest suggestions of reason, and the letter and spirit of Scripture. Instead of being bound, as the writer of them supposes, to exclude all religious considerations in giving his vote upon a subject connected with religion, the representative is undoubtedly bound on that, and on every other occasion, whether of a public or private character, to act under the influence of religious considerations. 'Whether we eat or drink, or *whatever we do*,' we are directed in Scripture to '*do all* to the praise and glory of God.' It is expressly enjoined on rulers in particular, to govern *in the fear of the Lord*. It is in fact the peculiar virtue of religion, as a motive of action, that it is applicable on every occasion, and to every part of

conduct. It is one branch of our religious duty to obey the constitution and laws of the land; and if the constitution prohibit the establishment of a national church, it is the religious duty of a representative, even though he individually prefer an establishment, to vote against any project of the kind, until the prohibition in the constitution be repealed; but even in voting against an establishment, he is or ought to be as much influenced by religious considerations, as if he voted in favor of it. It is impossible, in short, to conceive a case, either in public or private life, in which it is not the duty of every member of the community to act under the influence of religious motives; and in proportion as an individual is more completely influenced by such motives to the exclusion of any others, which have their origin in mere expediency, so much the more probable is it that he will avoid error, and render himself acceptable to the Great Judge, to whom he is ultimately to give an account of the deeds done in the body.

The assertion that the union of Church and State consists in being influenced in the exercise of temporal power by religious belief, seems to argue a great looseness of ideas upon the whole subject. The being influenced in the exercise of temporal power by religious belief is a particular state of mind, or, if habitual, a particular trait of character in individuals;—the union of Church and State is a form of political institutions. To say that one of them is the other is about as correct as it would be to say that courage is a military despotism—temperance a constitutional monarchy—or the love of liberty a republic. If the remark alluded to be merely—as is probable enough—an incorrect mode of expressing the idea that a disposition in individuals to act from religious motives has a tendency to bring about a union of Church and State, the objection is rather more intelligible, though not much better founded than on the other construction. Religious motives are, as we have shewn, the best under which we can possibly act, and tend of course to produce the best possible results. If one of these results be the union of Church and State, it could only be because this union is the best of all possible modes of regulating the relations between religion and government. Hence the committee, in affirming that a disposition in individuals to act from religious motives tends to bring about a union of Church and State, affirm by implication that this union is an excellent institution—which is probably not their intention, and is, at all

events not the opinion of the people of the United States. If a union of Church and State be, as is generally supposed, and as the committee appear to think, a dangerous institution, it is certain that the surest way of steering clear of it, is for the public agents to act in all cases to the best of their ability on the best and purest motives, which are, undoubtedly, the fear of God and the honest intention to do His will. The moment you allow any weight to considerations of mere expediency in opposition to these, you open a door to corruptions of every kind, which are the more likely to gain admittance in proportion as the names they bear are more respectable and plausible.

For ourselves, so far are we from apprehending any practical inconvenience from the influence of religious motives in legislation, that we should consider an extension of this influence as one of the most fortunate things that could possibly happen to the country. The great evil in practical legislation is the influence of corrupt, or low and narrow views. How often does the passage or rejection of an important law depend entirely upon the relative strength of political parties, divided perhaps by considerations wholly foreign to the subject of it! During the last session of Congress we have seen the newspapers of a political party declaring, with great satisfaction, that the question of the right of a member elect to take his seat was decided by a *party vote*. When the motive is not absolutely corrupt, how often is it of a low and narrow cast! A legislator votes in favor of a rail-road because it passes through his own town, or against it because it does not. If he happen to live in a cotton-growing state, he opposes the protecting policy; if in a manufacturing one, he supports it; if he remove from the latter to the former, he leaves his former creed behind him and takes up that of his new residence. The only sure way of rising above the influence of improper motives, whether absolutely vicious, or only narrow, is to give no weight to any considerations but those of duty, or in other words, religious principle. The individual, whether in public or private life, who pursues this course, is sure of doing right as far as he knows what right is; and we are all but too well aware, that our practical errors are much less frequently the result of not knowing what is right than of a disinclination to do it.

We have enlarged rather more upon this objection than its real importance perhaps rendered necessary, which, as we have remarked above, and have since endeavored to show, is

very little. The other, which is founded on the practical inconvenience that would result from suspending the transportation of the mail and the delivery of letters on Sunday, is the only one which appears to us to have any considerable weight. But even this is not, in our opinion, of a very decisive character.

It is, no doubt, true, that the rapidity of the progress of all private business would, to a certain extent, be diminished by the change in question; but it will hardly be pretended that the inconvenience resulting from this diminution, is of such a kind as to make out a case of necessity, which would authorise the community in waiving the observation of the moral and religious rules, of which they acknowledge the obligation in all others. The committee, certainly, have not proved or attempted to prove the reality of any such necessity. They say that if you stop the mail one day in seven, you retard by one seventh the advancement of the country. This reasoning supposes that the mail is the only instrument that is or can be employed for the advancement of civilisation—a supposition which is obviously incorrect. It is, no doubt, one and a very useful instrument for that purpose. The objection more correctly stated would be, that if you stop the mail one day in seven you diminish by one seventh the efficacy of the Post-Office in producing the advantages that naturally result from it. This is true; but it is only an application to a particular branch of labor of the general proposition, that if you suspend the labor of the community one day in seven, you make the labor of the community one seventh part less productive than it otherwise would be. This we know, or at least may admit for argument's sake; but notwithstanding this, there are certain religious and moral considerations, which induce the community as a general rule to suspend all their labors one day in seven. Why should not this rule be applied to the labor employed in carrying the mails as well as to all the rest? As the committee think that it ought not to be, it was their business to tell us why; but it is obviously not sufficient to tell us, that the labor of the Post-Office department would be immediately, in the case supposed, one seventh part less productive in a given time than it was before. This is a matter of course, and the principle is as true of all the other departments as of the Post-Office. But why deduce from it in regard to that department a conclusion, which you do not deduce from it in regard to any other? Why, in short, make the practice of the Post-Office department an

exception to that of all the others? This, as we have repeatedly said, is the real question, and it is one to which the committee have not attempted to reply.

Although we have admitted, for the sake of the argument, in the above remarks, that the labor of the community, if suspended one day in seven, is for that reason one seventh part less productive, we are far from thinking that such is in fact the case. We believe, on the contrary, that this is one of the instances in which two and two do not make four. Whether we consider labor as intended to produce the immediate result, wealth, or the more remote one, well-being physical and moral, we have no hesitation in saying, that we believe it becomes more instead of less productive by an occasional suspension. We all know that our faculties cannot be kept forever on the stretch. Without the nightly intervention of that 'blessed thing, sleep,' as Coleridge calls it, to suspend our toils and labors, soothe our cares, and recruit our strength, we should all, in a very short time, go mad and die. But the preservation of a sound, healthy, active and cheerful condition of our nature requires, in addition to this, an occasional suspension of labor for longer periods; and it was, doubtless, in the kind view of accommodating his commands to the constitution which he had given us, that the Creator prescribed the observance of a weekly day of rest. The man, who constantly pursues his worldly objects without allowing himself a moment's leisure, gradually acquires, by a sort of moral gravitation, an accelerated and feverish intensity of action, which, if not checked in one way or another, ends in extravagance, bankruptcy and ruin. By wholly diverting his thoughts one day in seven from business, and turning them upon the high and glorious subject of his intellectual and moral relations to God, his fellow-men, and the universe, he cools the fever of his mind; and when he takes up his affairs again on Monday morning, he is surprised to find with how much clearer a judgment he considers the plans and purposes of which he took leave on Saturday. He now perceives errors, that before escaped his attention,—rejects imprudent projects that before presented themselves in tempting colors to his heated fancy—and if his gains at the end of the week be one seventh less, they will probably at the end of the year, be seventy fold more. Instead of being a miserable bankrupt, he will be a thriving, healthy, happy man. We have no hesitation in saying that the fault we have here indicated of a too urgent

pursuit of worldly gain, is a common trait in the character of our countrymen, and that a more exclusive devotion of the Sabbath to repose and religious contemplation would be a most wholesome corrective of the evil. We strain every nerve to the utmost, employ every cent of capital that we own or can borrow, and not content with obtaining an honorable subsistence for ourselves and our families by the regular practice of our respective callings, grasp, with an agonising effort, at any project that holds out the least prospect of extraordinary gain. What follows? A few persons amass immense fortunes, the possession of which has no very favorable effect upon their own characters, or those of their children. The rest—at the first little convulsion in the world of business—are swept—like dead leaves before a November blast—into the gulf of bankruptcy. It would be vain to deny that the general habits of our active men of every class correspond in the main with this description; and it is, in our opinion, equally certain, that a real and *bona-fide* suspension of worldly cares one day in seven would greatly improve—were it only by its negative and sedative effects—the state of mind which leads to these extravagant efforts and their disastrous results. It is, in short, clear to us, that the labor of the community—by being suspended one day in seven—becomes, not less, but on the contrary a great deal more productive of mere wealth, than it otherwise would be.

But this view of the subject, however important, is by no means the most so of those which may be taken of it. The object of all this toil and trouble—these convulsive strainings and desperate enterprises—is after all the acquisition of the means of subsistence—'meat, clothes, and fire,'—nothing more. But this, though a legitimate object of pursuit in life, is far from being the only one. It belongs entirely to our lower and animal nature. The intellectual and moral principle—the God within the mind—that loftier and nobler portion of our being, by which we hold affinity with the Sublime Spirit that created and informs the universe—this too has its claims; and they are of a far more urgent and momentous character than those of the other. But how can we do them justice if our thoughts are forever absorbed, without the interruption of a day, an hour, a moment, in the routine of business? Our intellectual and moral nature is refined and exalted by study, solitary musing, or instructive conversation on elevated subjects—by the interchange of kind

and charitable feelings—by the contemplation of the goodness of the Creator, as shewn forth in the majesty, harmony, and beauty of his works. If we mean to rise in the scale of being above the tools we work with, or the brute animals that we employ, we must allow ourselves time for these ennobling and delightful pursuits. The merchant must not nail himself forever to his counter like a bad shilling; and the lawyer should remember that there is one Supreme Court in which his precedents will lose their authority, and his special pleas their importance—that there is one case, and that his own, which he must finally argue upon its merits. Let it be enough, that the business of the world is pursued with unremitted activity and perseverance from Monday morning to Saturday night. When Sunday comes, let the weary be at rest—let the laborer of every kind cease from his toil, and go up to the house of God, not to ruminate upon the affairs of the preceding week, or to lay new plans for the coming one—but to yield up his whole soul to the current of lofty contemplations which the scene and the service are fitted to inspire—to feel the ravishing influence of sacred song—to indulge the devout aspirations that lift the humble spirit in holy trances to the footstool of the Almighty. Nor let him think it too hard, if in the mean time his letters remain unread in the Post-Office. They will not grow stale before tomorrow. His communion with God is of much more consequence than his correspondence with his agent or consignee. Whatever the mere man of business may think of it, this is, after all, a matter of high importance. Unless the deepest thinkers have erred in their conclusions from the most mature experience and reflection—unless the strongest feelings within us are all delusion—unless the word of revelation be a lie—it is certain that our mysterious nature is only one of the transitory forms of a permanent existence—that our lot hereafter will be determined forever by the use that we make of our faculties here. 'As the tree falleth, so it must lie.' If we voluntarily degrade our minds in this world to the level of the brutes, it is impossible that we can start in the race of eternity with so much advantage as others, who have done their best to strengthen, exalt and purify the intellectual and moral principle that survives the body. These are at once glorious and fearful truths. They are truths which the greatest sages and lawgivers of every age from Moses to Numa, and from Numa to Franklin, have kept in view in their political creations. No state of ancient or

modern times ever obtained any real stability, of which the government did not rest, in one way or another, on the steadfast and immovable rock of Religion. Under our free and happy forms of political constitution, the only way in which this salutary principle can produce its beneficial effects, is by its influence on public opinion; and however much we may regret to differ from the very respectable committee, whose report we have been examining, and the writers who concur with them, we have no hesitation in expressing our conviction that the people of the United States have nothing better, in regard to their political concerns, to hope or wish, than that all their agents should be *influenced in the exercise of temporal power by religious belief.* This would not bring about, as the writer above alluded to supposes, without apparently attaching any very distinct meaning to the terms, a *union of Church and State;* but it would procure us the blessing of Providence—a wise, liberal, efficient, and above all, honest administration of the government in all its branches—a condition of general and constantly progressive prosperity—and to sum up all in one word—peace.

On reviewing the above, we perceive that we have omitted to notice the suggestion thrown out in the Report, that this subject comes properly within the jurisdiction of the State Governments; but we cannot think that the committee would themselves, on further reflection, maintain this doctrine. The regulation of Post-Offices and Post-Roads is plainly attributed by the letter of the constitution to the United States.

ART. VIII.—*Letters and Journals of Lord Byron. With Notices of his Life.* By THOMAS MOORE. Vol. I.

When Dr. Clarke, the traveller, was entering the waters of Egypt, he saw the corpse of one who had fallen in the battle of the Nile, rise from its grave in the ocean, and move slowly past the vessels of the fleet. It was with somewhat similar misgivings, that we saw the resurrection of Lord Byron from the waves of time, which soon close over the noblest wreck, and leave no trace of the spot where it went down. Unless there were something new to be said in his favor, it seemed needless to bring him again before the public eye. The world

was as well acquainted with his frailties as with his transcendent powers; the sentence of the general voice, which is not often reversed, had been pronounced, though with much hesitation; he was declared entitled to a place among the great; but, though he had the elements of a noble nature, no one, so far as we know, claimed for him a place among the good. We regretted, therefore, to have his name and character brought up again for judgment, unless for the purpose of vindication. Such is not the effect, whatever may have been the design of the volume before us. Mr. Moore, though he loved and honored Byron, has, in thus gratifying the public curiosity, rendered no service to the memory of his friend.

We are disposed to rank high among the better feelings of our nature the one which leads us to spare and respect the dead, and makes us indignant at every attempt to draw their frailties to the light, which cannot plead necessity in its justification. We feel grateful to those who have delighted us, even when they have done so with their enchantments; we are beholden to them for whiling away some of the drearier hours of existence; and when they are gone, where our gratitude or censure can no longer reach them, we feel as if their memory were left in our charge, to be guarded from wanton condemnation. We could see their forms under the dissecting knife at Surgeons' Hall with more patience, than we can see their reputation made the sport and gain of mercenary writers. We know that the Life of Johnson is a standing excuse for authors of this description, though we see not why; for Boswell would sooner have cut off his hand, than have wilfully disparaged his 'illustrious friend;' and through all his defects of judgment and style his great subject towers, like Westminster Abbey, whose melancholy grandeur is not destroyed by the meanness of the objects round it. In his work, there is no violation of that sacred law of human feeling, which, like the gentle process of nature, seals up the grave, and covers it with verdure and flowers. But this law has been sadly broken in the case of Byron; a man, who, with all his faults—and we have no disposition to deny them—was never wanting in generosity to his friends. Some of them have preyed on his memory like vultures; from the religious Mr. Dallas, who was dissatisfied with the gift of several rich copy-rights, down to Leigh Hunt, who intimated his independence of the commonplace opinion, which insists on gratitude for golden favors. Others, also, of the

strange companions among whom the chances of his life and the waywardness of his temper threw him, retailed his most unguarded words and actions, subjecting him to a scrutiny which few men's lives and language will bear. But the public feeling, which is not apt to be permanently misled, had settled down into the conviction, that Byron, with all his failings, was to be admired and pitied as well as censured; that he was an unfortunate man of genius, made up originally of strong powers and passions; obliged to pass through the double trial of prosperity and misfortune, both perhaps equally severe; and by these disturbing forces, drawn aside from the orbit, in which, with a happier destiny, he might still have been shining as brilliantly as any great light of the world.

We do not, of course, mean to rank the writer of this work among literary vampyres, nor to complain of this publication. In his case, something of this kind was necessary; it was understood that Lord Byron made him the residuary legatee of his infirmities and errors, leaving in his charge a manuscript journal, which, it was said, Mr. Moore thought proper to destroy. Such was the prevailing impression, whatever the facts may have been; and this act, dictated doubtless by the most honorable feelings, was justly thought to bear severely on the character of his noble friend. It gave indulgence and encouragement to the most unfavorable imaginations; it was declaring that the pages on which Byron poured out his thoughts and feelings, were only worthy of the flames. It was expected, that, if this registry was not so thoroughly disgraceful, Mr. Moore would come forward to declare it; he has accordingly done so, and given us parts of this same journal, recovered from its ashes, with various original letters; he has, so far as was possible, made Byron the historian of his own life, giving his own sentiments in his own words; he feels obliged, however, to caution us against being misled by the poet's statements, because, with a strange inverted ambition, he took pleasure in representing himself as worse than he really was. This is no doubt true; but one may doubt whether it will do much to exalt Byron above the level where he chose to stand; this self-misrepresentation would imply some want of reverence for truth, and it would seem as if the moral sentiment must be not a little corrupted when a man glories in his shame. Still, it would be wrong to lay much stress on these avowals, which, wherever they appear, are partly jesting and partly penitential; meant to

bear either aspect, as the case may be: the language of confession is apt to be exaggerated; jests are not to be weighed like scripture; and as most men in their confessions meant for the public eye, with the contrition alluded to by Chesterfield, confess themselves guilty of what they consider the cardinal virtues, there are naturally no bounds to their humiliation.

Mr. Moore does not attempt to give any regular examination of Byron's character, aware, perhaps, that the thing was impossible; for, if by character be meant the decided leaning of the habits and feelings towards good or evil, it would be no more correct to speak of his character, than of the bearing of a vessel drifting on the sea; or if we mean by character, the general impression received by one who reads his history, it is evident that such an one could gather no single impression. Every change in Byron's life was a new experiment or adventure suggested by the moment's whims; each new deed contradicted the report of the one that went before it; like the mercury in the weather-glass, he varied with the changes of the air. Sometimes he rose to a noble height of virtue; then sunk low in degradation: sometimes he breathed out noble sentiment in inspired language; then profaned his lips with the dialect of hell: sometimes he practised a hermit's self-denial; then gave himself up to appetite and passion. The very climate of the country where he happened to be, seemed to spread its influence over him. All his manliness melted away into effeminacy under an Italian sun; all the strength of his mind and heart seemed to revive among the living shores and mountains of Greece; and this, while it shows that he had great and active energies within, proves also, that, like others who want principles of action, he needed something external to excite them. In him, these principles, and the unconquerable will, were entirely wanting; the rough hands of others struck out the fire from his soul. His inconsistencies arising from this cause, are equally perplexing to his enemies and admirers; each falter in making up their judgment; the former hesitate in the midst of their sternest condemnation, conscious that all was not evil, and doubtful, whether they are not more just to his vices than his virtues; while his admirers, in the moments of their warmest enthusiasm, find recollections stealing over their minds which fill them with indignant shame; they, too, doubt sometimes whether they are not misled by their reverence for Genius, and hardly know whether they feel most sorrow for its perversion or wonder at its power.

His biographer was evidently perplexed with this difficulty, and has therefore left the private character of Byron to be inferred from facts and letters, with here and there some pages of comment and explanation. He does not bring the subject to any full discussion, but praises his friend wherever he can do so with justice, and defends him where his conduct seems to require defending. His remarks are written with more than his usual simplicity; in fact, with very little of the glowing ornament in which his other writings abound; but, notwithstanding this improvement, the work is not likely to be a favorite with either class of readers. The poet's admirers will think that more discretion should have been used in selecting private letters, and that the follies of his youth should, like those of others, be forgotten in the brilliant efforts of his later years; and will wonder why the biographer could not communicate to others the feelings with which, according to his own account, his friend's talents and virtues inspired him. On the other hand, a large class will accuse Mr. Moore, not only of suppressing, but of making rather too light of the poet's misdeeds; of treating as a trifling offence in him, what would have been severely visited upon any other; as in the case of his *brother*, for example (p. 118), they will charge him with making the flower-gardens of poetry a sanctuary for transgressors of moral and social law. Both these faults, inconsistent with each other, as they seem, will be alleged against him. On the whole, the effect of his book will be to lower the character of Byron in the public esteem. No one can charge him with a want of partiality to his subject, and yet, with every disposition to cover the poet's errors, he finds much that he cannot explain away. He readily acknowledges his friend's follies, with a candor for which none of Byron's admirers will thank him; for, in the common estimation, follies bring one into contempt much sooner than vices; men can find something great and commanding in the one, while it is impossible to respect the other.

The literary fate of Byron is a remarkable example of the indulgence shown to men of genius. The world is apt to be rigid enough in its exactions from others, but it offers them a perpetual absolution for all offences, even for their waste of those powers by which it wishes and hopes to be delighted; it receives these spendthrifts of talent with unwearied forgiveness, however far they may have wandered; it permits them, like conquerors,

to trample on all rights and laws; it finds something beautiful in their very scorn; nations worship them in the blaze of their fame, and weep with mournful sensibility over their fall. We rejoice to see that the world can transfer its enthusiasm in any degree from military to intellectual greatness, and only desire that it may be careful in selecting its objects of adoration. In the unguarded moments of rapture it may place its honors on unworthy brows, and thus hold out an encouragement to all kinds of perversion. Intellectual men should read their duty as well as triumph in a nation's eyes; and whenever, in their writings, they pass the limits of decency and moral restraint, instead of doing it with the confidence that great errors will be pardoned to great genius, should feel themselves driven back by a lightning glance of indignation. When the power of the mind is growing so fast, it is of immense importance to make the feeling of literary obligation firm and strong, and to enforce it with an authority which will neither be defied nor resisted; and this can be done without difficulty, because men of taste, and poets more than others, have their intellectual being in the world's good opinion. The poet, more than all, needs this restraint of general opinion. The historian makes a slow and patient impression on others; the force of the orator, except in subjects of unusual interest, is felt in a space hardly broader than the thunder-cloud of the storm; but the works of Byron, like those of Scott, not confined to the bounds of their language, have been read, we have no doubt, by the northern light at Tornea, and by the pine-torch under the Rocky Mountains; and in all the various regions between made the wayfaring forget their weariness, and the lonely their solitude, bearing enjoyment to a million of hearts at once, as if by supernatural power. No human power can rival that of the great poet of the day, and, should it become wild and lawless, no despotism under which the earth suffers and mourns, is half so fatal to the interests of men.

Perhaps there never was one, to whom the right direction which the world thus has it in its power to give, was more important than to Byron; for as may appear in what we shall say of him, he was remarkably deficient in self-dependence, except when wrought up with passion; his irresolute judgment was strongly contrasted with his genius. Powerful, indeed, he was; he came not at a time when the field of success was open; perhaps there has not been a period, when a greater

number of bright stars were met in the heavens. Campbell was shining in the pure brilliancy of his stainless fame; Southey was pouring out his wild and beautiful epics with a happy disregard of party censure; Wordsworth was pleading, as he believed, for neglected nature, with a gentle and unregarded voice; Moore was reposing, like an eastern sovereign in his sultry halls; at this moment, apparently most inauspicious for his rising, did this new and eccentric orb shoot from the horizon to the upper sky, and in every step of his ascension held men breathless with admiration, till his brightness 'was changed into blood.' But he seemed to take a perverse delight in trifling with his own power, and showing that he valued an imagination as splendid as ever was lighted in the soul, no more than a camera lucida or magic lantern; and the world still deafened him with applause, even when he poured out strains of sensuality in music worthy of an angel's tongue. Nothing would convince men of his dishonor; they still believed in his integrity, as they insisted on regarding Napoleon as a friend of freedom, long after he had worn the crown. Let it not be thought strange, that we associate these two names; for great as Napoleon was, Byron was absolute and undisputed sovereign of the heart—a region in which the other had no power. Byron could send to millions the highest enjoyment, with a few rapid touches of his celestial pen; and while the throne of the oppressor is broken, he still exerts a mastery which grows and widens as the brass and marble decay. They were not wholly unlike in their destinies; deluded by the reverence of men, each became a suicide of his own welfare; and, remembering that they are great examples to all future ambition, we regret the less that they perished as they did; though each might have left a glorious name, the one as the bravest warrior that ever fought the battles of freedom, the other as the greatest poet of his age.

Any observer of human nature may be interested in the fact, that men are always most zealous in their enthusiasm for characters, which are somewhat doubtful, as well as great. The admirers of a man like Washington criticise him with freedom, knowing that he can only gain by discussion; but the partisans of eminent characters like those I have mentioned, as if conscious that any opening for inquiry would overthrow their favorite passion, meet every suggestion of the kind, with an outcry precisely resembling that with which the worm-eaten govern-

ments of Europe welcome every proposal of reform. This fervor is not so flattering to such men as is generally imagined; it implies that their admirers are far from being persuaded of their real excellence, though they are resolute in maintaining their own opinion. This is illustrated by the passion for Byron. When he first became generally known, which was not till after his first cantos of Childe Harold appeared, his name was surrounded with a colored cloud of romantic associations; and perceiving the charm to be derived from the slight mystery then resting on his condition and character, he kept up the allusion by all the means in his power; new portraits of himself in striking attitudes and drapery, were perpetually held before the public eye; and by these means he inspired a deep feeling, not precisely of respect or regard, but of something more tenacious than either; so that now his admirers hold fast their early opinions of him, as a lover clings to his first impressions; determined to maintain them right or wrong, and resenting as a personal affront every attempt to exhibit his character in its true light. This book will give an unpleasant shock to their imaginations; but at the same time, they have seen his character in a glass so darkly—there is so little distinctness in their conceptions of him, that like the spirits in Milton's battle, his existence cannot be endangered by any mortal blow—he is a vision of fancy in their minds—too unsubstantial to be measured; their opinion of him is not a judgment, but a feeling, which neither argument nor evidence can overthrow.

But there are others, who never have thought it necessary to give up their hearts to the great poet of the day—who have neither taken part with Byron nor against him; to them, this book will wear a very different aspect; they will receive it as the deliberate testimony of a friend, of course as partial as truth and justice will allow, and will see with some surprise, that the strongest feelings awakened by it are those of sorrow and shame. It is painful to see this disproportion between the moral and intellectual characters of distinguished men; and though history might prepare them for such disappointment, they are always dismayed to find those, to whom heaven has been most liberal of its gifts, unfaithful in the use of them. Their kind feeling will be severely tried by this Life of Byron; they will say of his mind, as he did of Greece, that it is strange that when Nature has formed it as if for the residence of the gods, man should take a mad delight in making a wilderness and a ruin.

For without overstating his defects, it is true, that they will look in vain through this work for any traces of a sense of duty, either in the use of his social privileges or his intellectual powers; they will see too much levity and profaneness, without wit or humor to cover its grossness; they will see something offensive at times in the style of the biographer's apologies for him, when they are made, not as if necessary, but in deference to common opinion; they will find, that he went through the world at the wind's pleasure, and that his path, though occasionally lighted up with flashes of good feeling, was not such as his friends love to remember. In the natural regret for this waste of life and talent, they may chance to visit his memory with even more severity than it deserves; and therefore we take the opportunity of referring them to one or two circumstances, without which his merits cannot be understood, and which will show, that with all his apparent felicity of birth and fortune, he was more to be pitied than condemned.

The chief misfortune of Byron was his want of early kindness and instruction. The mind resembles a garden, in which flowers and fruit must be cultivated, or weeds will grow; and few could be found, even among vagrants and outcasts, more unfortunate than Byron in the guardians of his tender years. His father was a worthless libertine, who, after the death of his first victim, married Miss Gordon, the poet's mother, with a view to her property, which was large, but soon wasted. His great uncle, from whom he inherited his title, was a man of savage and unsocial character, who was believed to have murdered a gentleman in a quarrel. With him, however, he had no intercourse, nor even with his father, who was soon separated from his wife; so that he was wholly abandoned to his mother's care; and a more injudicious guide of a youth so wild and passionate, could not have been any where found. It has been generally thought that she was fondly indulgent; but the present work effectually clears her memory from any such imputation: she was a woman of violent temper, and rendered still more irritable by her husband's treatment, though she seems to have loved him affectionately after all her wrongs. If to leave her child ungoverned was indulgence, she was guilty; but it could not be expected, that, having no rule over her own spirit, she should be equal to the harder duty of governing her son. Neglect, however, was not the worst offence for which she is answerable; she was the author of that bitterness of spirit, which

made him, though at some times mild and affectionate, at others so sullen and ferocious; for it seems that she forgot herself so far as to taunt him with that slight lameness, which caused him so much misery in his after years. Little do they know of human nature who wonder at his feeling; the truth is, that in almost any young person, such vulgar allusions to a personal defect, however trifling, will awaken an excessive sensibility amounting to horror: all the self-torturing energy of the soul will be concentrated on that single point; and if the wound ever heals in the coldness of manhood or age, it leaves a quick and burning scar. This disease of the affections extended throughout his mind and heart; and to this we are bound to attribute that jealousy which occasionally seemed like madness: and that unsparing resentment of injury which sometimes raged like a flame of fire. Knowing this, we cannot wonder that he regarded his mother without affection, alone as they were in the world. At the same time he discovers in his letters a respect and attention, which clear him from all reproach on this subject: she could expect nothing more of him; for love is the price of love. Neither were the defects of his domestic education repaired by schools. His mother's poverty prevented her doing him justice in this respect, and he was passed from hand to hand with a view to save expense rather than give instruction. None of his various masters had time to become acquainted with his mind; and without such an acquaintance with the tastes and powers of the young, teachers are often like unskilful gardeners, who destroy by watering in the sunshine, those blossoms whose habit is to close in preparation for a shower. None of them retained their charge long enough to gain an influence over him. Altogether he had none to lean upon, and no worthy object for his affections to cling to, which is one of the greatest wants of the young and tender heart. This sufficiently accounts for many of his faults; it explains where his careless desolation began: it shows why he placed so little confidence in the merit and affection of others, why he was so unbelieving in their virtue, and afterwards so indifferent to his own. It accounts for that misanthropy which some suppose was affected, but which there is every reason to suppose was sincere: for, much as he depended on others, ardently as he thirsted for their applause, still, like all others who have no faith in human virtue, he held them in light esteem. Those who cannot live without the world's flattery, sometimes despise the incense-bearers;

and the person who depends least upon others, is not the misanthrope, but he who takes a manly and generous interest in all around him. Thus melancholy and disheartening was his childhood. Instead of being the gallant bark that Gray describes, standing bravely out to the summer sea, it was the one 'built in the eclipse and rigged with curses dark,' whose destiny was foreseen by the thoughtful before it left the shore.

It may be said, that he might have done like many others whose parents have been unfaithful, and who, by this misfortune, have been driven to that self-education, which Gibbon considers more important than any other. But Lord Byron was most unfavorably situated: this self-discipline is seldom enforced with vigor or success without the pressure of circumstances, or the strong leaning of ambition combining with a sense of duty. But Byron was above the reach of that necessity, which drives so many to great and fortunate exertions. Though poor in childhood, when his wants were few, he had before him what seemed a prospect of unbounded wealth; and the same expectation of rank and honor made him insensible to the call of intellectual glory. He knew that his title would secure him respect, and in this confidence was unambitious of any thing higher; it seemed to be the brightest point in all his visions of future greatness. Those, who, born in humble life, feel the stirrings of ambition, and have no path to eminence open but such as they clear with their own hands, enter upon the work with a vigor which at once gives and strengthens character, and ensures success. Byron, on the contrary, believed from his childhood that he should be respected for his rank alone: it was not till he had reached this great object of desire, and found how barren it was, that he seemed to wish or hope for any other distinction.

The effect of this want of education in mind and character, may be seen in almost every part of his life; even in those illuminated pages which display the triumphs of his genius. He never seems to have had the least confidence in his own taste or judgment with respect to his own productions or those of others. We find him on his return from his first voyage, talking with delight of an imitation of Horace, which his biographer is too conscientious to praise, and at the same time, hardly prevailed upon by the most earnest intreaty, to publish Childe Harold, the work on which his fame is built. A taste of this kind is as much formed by society, as by reading and medita-

tion; but he had acquired a bashful reserve in his childhood, which prevented his reading the eyes or minds of others; and yet, as the public opinion is the tribunal to which all must bow, he never felt confidence in his opinions till they were confirmed by the general voice. In his judgment of others, he seemed governed by the partiality of the moment. We find him speaking with delight of Coleridge's Christabel, or praising Leigh Hunt's affectations, which he was the first to ridicule shortly after. The same wavering appears in his judgment of the English Bards and Scotch Reviewers—a work which he afterwards recanted for no other reason than that his humor had altered. The entire history of this work of wholesale vengeance illustrates the indecision of his mind. In his first indignation at an attack which was certainly enough to irritate a meeker spirit, he forthwith drew his sword and commenced an indiscriminate slaughter of all about him; but as soon as the moment's madness had passed away, he began to bind up their wounds, at the same time exulting that he had made them feel his power. But the want of every thing like discipline was more plainly manifested in his character; it was left to itself; so far as he ever had a character it was formed by the natural and wild growth of his feelings and passions. These feelings and passions were suffered to grow and take their own direction, without the least care or control from any hand. What affectionate instruction might have done, we do not know;—the experiment was never tried; he was left to his own guidance, and by feeding on extravagant hopes, he prepared himself to be hurt and disappointed by the ordinary changes of life. Never having been taught what to expect and what he might reasonably demand from others, he received every slight neglect as an injury, put the worst construction on every word and deed, and required of the world what it never gave to any mortal man. In Scotland, his fancy was excited with tales and examples of high ancestral pride;—rank became, in his eyes, something sacred and commanding; and there was enough in the history of the Byrons to encourage his loftiness of feeling; but he was mortified as he came forward into life, to find that the respect paid to it was hollow and unmeaning; he was received into the House of Lords with as little ceremony as at Eton or Harrow; and this, though probably a thing of course, was resented by him as an unexampled wrong, for which he insulted the Lord Chancellor at the time, and afterwards impaled Lord Carlisle in various

satirical lines; though the only crime of the former was, that he did not dispense with legal forms in his favor, and Lord Carlisle's transgression, that he did not come at a call. He was still more painfully taught how little could be claimed on the score of rank, by the attack of the Edinburgh Review. He could not plead privilege before that bar; a republican from the United States could not have been treated with less ceremony than the English Baron; and it appeared in evidence, that with a regard for principle, of which that work has given more than one example, it abused the poetry for the sake of the man, though his rank was all the provocation. He was also constantly wounded in another tender point—his friendship. With him friendship was a passion, cherished for reasons which he would have found it hard to assign; in its objects, there was no particular merit, save what was generously given them by his active imagination; his little foot-page and his Athenian protégé were of this description; yet he expected of these and others, selected with even less discretion, all the delicacy and ardor of attachment, which might belong to superior natures. He was of course disappointed;, and by a process of abstraction found sufficient reasons to libel and detest mankind. Thus in almost every year some favorite charm was broken—some vision dispelled; he came forward into life, like one seeing from afar the family mansion of his race, with its windows kindled by the setting sun—and who, as he approached it, looking for life and hospitality within—found with dismay, as he entered the gate, that all was dark, cold, and deserted.

Byron's melancholy seems to have been owing to these peculiar circumstances of his life. Bright hopes and painful disappointments followed each other in rapid succession; the disappointment being that which attends the gratified desire—of all others, the most difficult to bear. He was his own master, and had all that men commonly wish for; he was thus in a condition where, so far as resources of happiness were concerned, he had nothing more to hope from the world, and that state in which any change must be for the worse, is found by experience to be more intolerable than that in which any change must be for the better. How far his depression was owing to any thing constitutional, we cannot attempt to say, being less acquainted with the nerves of poets than with those of reviewers; but we believe that there are few cases in which

the evil spirit may not be successfully resisted by a resolute will. Unfortunately, those unused to trouble, real or imaginary, become desperate at once, and are ready to make trial of any remedy, to drive the moment's uneasiness away; by dissipation and violent excitement they remove its pressure for a time—but as often as it is lifted, it returns with heavier weight; and at last, like the cottager who burns the thatch and rafters of his cabin to relieve the cold of a winter day, they are left without the least chance of shelter; to supply the vacancy of hope, they consume the materials of happiness at once, and then travel from desolation to desolation, having no resource left, but to become miserable self-destroyers of their own peace, character, and not unfrequently lives.

We regret to find the vulgar impression that this melancholy was owing to his poetical talent, countenanced by such authority as Mr. Moore's; though he does not openly declare that such is his opinion, he intimates that faults and sorrows both were owing to 'the restless fire of genius.' This we believe to be one of the worst heresies in public opinion; beside being dangerous and misleading, it is unjust to the noblest of all arts. Were there no other young men of rank and fortune, equally dissipated with Lord Byron, or did all the companions of his vice and folly share his exalted power? Why need we assign more refined causes for his corruption than for theirs? And more than all, why offer this immunity to those who waste the talent, which was given to bless the world, which we deny to the inferior prodigals of wealth and time? It is unquestionably true, that a quick imagination gives a sharper edge to sorrow, by multiplying, changing, and coloring its images, but it has equal power over images of joy, if the poet can be made to look upon the bright side; and as this depends on his own choice, we cannot sympathise with him very deeply if he insist on being unhappy; we will not throw the blame, which belongs to himself, either on poetry or nature. It is time that justice in this respect were done to poetry; it is a full fountain of consolation; so far from being a Marah in the wilderness of life, there is healing in its waters. The greatest masters of the lyre have found delight in the calm and majestic exertion of all their powers; and while poetry doubles their happiness by its inspirations, it has been found effectual, from the days of Saul till the present, to drive dark thoughts from the soul. No man was ever more indebted to poetry than Lord Byron; we say

nothing of his reputation, though without poetry, he would have left no more name than a thousand other lords; but we consider him indebted to poetry for all the bright hours that silvered his path of life. That he was a miserable man, no one can doubt, who knows any thing of the effect of distempered fancy and ungovernable passions; but while he was wildly sacrificing one after another the resources for happiness which surrounded him, and seemed to take an insane pleasure in seeing those treasures melted down in the fires of passion—while he was surrounded by associates, who were enough to put to flight all those better feelings, which could not quite forsake him, even when he seemed most resolute to let them go—while in self-inflicted banishment, his face was always turned toward his country, although he spoke of it with hatred and scorn—while his wild, fierce, and riotous mirth, only manifested the self-condemnation and torture within—he was indebted to poetry, for fanning the embers of his better nature—for kindling up those flashes of manly and generous emotion, which, transient and wavering though they were, have been enough to secure for him the admiring compassion of the world. Nothing can extinguish this sacred light of the soul; it is an immortal element, which floods cannot drown; it often revealed to him the true character of his companions, and his own conduct, making him heart-sick of the scenes in which his life was wasted, and the associates among whom he was thrown; it led him to all the excellence which he ever knew; and when weary of degradation, he made one last effort with his foot on the native soil of inspiration, to rise to his proper place among the sons of light, it was evidently owing to poetry, that any thing worthy to redeem, was yet existing in his soul.

Equal injustice is done to poetry, by saying, as is often said, in the case of Byron, that misery is the parent of its inspirations. Poetry is the work, not of circumstances, but of mind; of disciplined and powerful mind; which so far from being the sport of circumstances, makes them bend to its power. There is neither romance, nor elegance in real distress; it is too real, oppressive, and disheartening; the mind, so far from dwelling upon it, turns away with disgust and aversion. The person in suffering of body or mind, no more thinks of the fine emotions his situation awakens, than the soldier bleeding on the plain, who would exchange the fame of Cæsar for a drop of water to cool his burning tongue. It is true, that such a person often ex-

presses himself in poetical, that is, in strong language; but this is not poetry, which expresses a vivid imagination of the sorrow, rather than the reality, and implies a steady scrutiny of feelings, and a measuring of the depth and power of language, to which real suffering is a stranger. The whole advantage which a poet derives from acquaintance with grief, is the same he might borrow from being present in a storm at sea; he could no more describe his emotions, at the moment when every nerve is strained and wrung with grief, than he could sit down to paint the sublimity of the tempest, when the vessel lets in water at every seam. Afterwards, he may remember the circumstances, and recall the feelings; and if he do it with judgment and selection, may affect the minds of his readers with impressions similar to his own. But he cannot do this, till the fear and anguish are gone; or at least, till he finds a consolation in the exercise of his mind, which makes him forget his sorrows. No stronger confirmation of this can be given than the lines addressed to Thyrza, which exceed all lyrical poetry in the language for the deep feeling which they express. They were addressed to an imaginary person, and the emotions, if he ever had felt them, were at the moment of writing, dictated by the fancy rather than the heart. While therefore we believe that Byron was melancholy in his temperament, we do not believe that poetry was either the cause or the effect of his depression; his sadness was owing to the circumstances of his life; but whether natural or accidental, it must be admitted in extenuation of his faults, because even if accidental, it was formed at an early period by events, over which he had but little control.

We make these remarks, not by any means because we consider these circumstances as a full justification of Byron's character; but because this book will give a very unfavorable impression; and as title and fortune are generally thought to be names for happiness, it may chance to be forgotten, that there was any thing in his condition to be pleaded in excuse for his transgressions. His reputation needs the apology, and he has a right to the benefit of it, as far it will go. Some may wonder to hear the name 'unfortunate' applied to this great favorite of the world; and yet, whoever reads his life with any attention, will feel that there are few so little to be envied as he. There is something inexpressibly dreary in his history. He never knew any thing of a father's kindness, nor in truth of

a mother's love; there was no hand to point out to him the right way, and no strong arm on which his own might lean: his was no school to prepare him for a virtuous life; and perhaps such a life would not have been expected of him, if his mind, undisciplined as his character, had not displayed such remarkable vigor. Expected or not, such a life is not here recorded; and all we ask is, that whoever is painfully struck with this account of his conduct, would take all its palliations, such as they are, into view.

The outline of Byron's history was well known before this work; and as this volume must have been in the hands of nearly all our readers, we shall not give the particulars of his life, though many are curious and interesting; particularly such as show how comfortless a splendid life may be. Much light is thrown upon the promise of his youth; the strong testimonials of affection given by some of his companions, show that he had warm and generous feelings to those whom he loved, but that he was sufficiently haughty and sour to others, with or without provocation. He was in no wise ambitious of improvement in the schools; but rather made it a point of honor to rebel against their discipline, which he ever afterwards held in contempt, as men hate that which they have injured. His biographer considers this impatience of restraint an evidence of genius, which, in his opinion, needs no such aids nor laws, and is therefore at liberty to defy them. If the remarks made on this subject were intended to bear upon the English universities only, we should not notice them; but they seem meant as a reflection upon all classical studies pursued in schools. The writer quotes Lord Byron's saying of Virgil and Horace—that his school acquaintance with those classics gave him a distaste for them ever after. The whole truth probably was, that he never troubled himself to ascertain the strength and fidelity of his early associations. Had he read them in maturer years, it is impossible that such boyish recollections should have made him insensible to their beauties; and he would at least have felt, that such a defect of taste and judgment is what one should sooner confess than avow. He could have meant nothing more than to express in a decided manner his aversion to schools; and in this his biographer goes with him, bringing forward great examples of those who felt the same aversion. But it happens, unfortunately for the argument, that these were, most of them, such as had been censured and disgraced at such institutions. It

is not probable that it was a deliberate conviction of the badness of the system, which induced them to violate its laws; the irregularities of youth are more easily accounted for; but those who know how long resentment for such disgrace endures, will not wonder that it influenced their judgment in manhood and age. But this, their partial evidence, is carried further than it was meant to go. We cannot say that Milton was in favor of anarchy, because he wrote against oppression; nor that he was opposed to religion, because he rejected certain doctrines. There may have been many defects in the education of his day, which revealed themselves to his prophetic eye before they were seen by others; but this is an argument not for destruction but reform.

We regret to see such intimations in this work; deliberate opinions we cannot suppose them to be. We do not believe that the writer, though he thinks that the Greeks wrote their language in such purity because they abstained from every other, would recommend a similar abstinence to his readers; when it was owing in them to the want of treasures in any other language which would repay the labor of acquiring it. Nor do we suppose that he would seriously advise us to break up such institutions, and leave the young to forage in the fields of learning and science for a precarious subsistence. To resist the authorities of the schools was not a sure way to make a Milton, nor is every one likely to become a Franklin who runs away from home. But he should have guarded against perversion of his opinions; that they might not countenance the irregularities of genius; that idle impression, which has kept so many fine minds from feeling the necessity of improvement, and inspired so many dunces with a sweet confidence in their own talents, founded on their defiance of all control. Byron and many others became great, not by their transgressions, but in spite of them; had he submitted to the usual discipline of youth, or, more properly speaking, had he enjoyed it, he might have led a better and happier life, and left no cause for his admirers to blush for the cloud upon his fame; though he would have astonished the world less, he might have secured a more enviable immortality.

In speaking of Byron's infidelity, Mr. Moore indulges in a fanciful speculation on unbelief in general, regarding it as a fortunate circumstance, that such skepticism does not begin till the character is already formed. We cannot easily persuade

ourselves that the character is ever formed without some decision of the mind and heart either for or against religion. The character may begin to lean in one or another direction; but religion, if it have any power, must exert it in fixing that direction, and its mere absence from the heart may have the same effect with infidelity. But we cannot conceive of any one growing up to the age of thoughtfulness, to the time when tastes are decided and habits fully formed, without asking himself whether he believes in his own immortality. If he grow up under religious influences, and afterwards become persuaded that religion is not sustained by evidence, his infidelity may be less injurious, because his judgment must approve the course of life recommended by Christianity, whatever he may think of its divine origin. But with respect to Byron, as his biographer testifies, and we believe with respect to others, the case is different; infidelity begins at an earlier age—the age when the mind first discovers its own powers, and exults in its conscious freedom—the age when it has not yet learned that the trodden path is not to be despised, and takes pride in defying common opinion—at such an age, the mind is much more likely to shape its religion to its wishes, than to submit its wishes to religion; and it is easier for us to believe, that Lord Byron, and others like him, fashioned their faith after the taste of the moment, than that they reasoned on the subject after the manner of Herbert and Hume.

Byron had become associated at such an age as this with a number of young men, who, taking his own description, were not likely to exert a happy influence over a lawless and wayward mind. Among others, there was Matthews, to whom he has paid so beautiful a tribute in Childe Harold—a man of remarkable promise, if we may judge from the eulogies of his friends, but a professed atheist, and fond of employing his wit on subjects which any man of principle, whether atheist or Christian, would have kept apart from profanation. Byron held him in great respect, and was doubtless injured by his influence; the more so from his having previously thought, or at least expressed himself with some interest on religious subjects; having at no period of his life any great confidence in himself, he was easily laughed out of his religion, and, to show the sincerity of his contempt for it, may have made a show of indifference to it which he did not really feel; at any rate, it was driven from his thoughts; and he seldom speaks of it at

all, except when he paints the desolation of his feeling; and the very dreariness which he ascribes to him, who cannot look beyond the tomb, shows that he knew the value of the hope of immortality, though he felt that the wilderness about him would not be complete, if any shoot from the tree of life were seen to grow. But there was nothing in his habits of life, which could make this a welcome subject, except for the poetical interest which it afforded; and therefore he dismissed it, as one parts from a stranger, not as he tears from his heart the friend whom he is compelled to believe untrue. It is in this way, that young infidels are generally formed. Unbelief is too strong a word for their state of mind, if it mean that they have rejected Christianity from want of evidence to satisfy their minds; for there is so little to make this a pleasing subject of contemplation to them—so little in it that flatters, and so much that condemns—they have learned so little of the importance of its hopes, having never yet found the springs of common enjoyment dry, that they do not suffer it to come near enough to their minds to have its claims and evidence weighed; they rest in that state of unbelief which amounts to indifference, and, though they sometimes startle others by a parade of infidelity, do not differ from thousands who call themselves believers; and they are not worse than they would be, if they bore the name of Christians.

Mr. Moore has given a very liberal account of the attack of the Edinburgh Review; which, however painful to Byron at the time, was a fortunate humiliation for him, as it taught him the secret of his own powers. Mr. Moore thinks that we judge these poems more favorably from our impressions received from his later writings; but we suspect that the association of the splendid efforts of later years with his imperfect beginnings would not tend to raise the latter in our estimation. The effect would be that of contrast, and would make us think of the first attempts more meanly than they deserve. The question, however, is not, whether the poems were good or bad; we think that many of them are good: but whether the offence was such as to call for such a severe infliction, which, to Byron, who had high ideas of the majesty of reviews, was a tremendous blow. Whether the attack was justifiable or not—the manner no one will defend—the review had no reason to boast its success. For, though Byron retorted in a poem, which, with all its excellence and vigor, is wanting in consistency and

justice—which, in many parts was unpardonably insulting to those, who, like Scott, had never offended him—though he goes far beyond the review in the very transgression of which he complained—still, so heartily did the public feeling go with him in his resentment, that his work was received with unbounded applause. The whole history of this affair deserves attention, as showing how little there was fixed and decided in Byron's character. When the review took the only ground that was left it after his Childe Harold appeared, and with amiable unconsciousness professed its surprise that he should have suspected it of unkind intentions, he was melted at once; such a concession seemed but too great, and he hastened to repair the injury he had done by suppressing the English Bards and Scotch Reviewers. All this was well; for he did it on his own account more than theirs; what we would remark, is the confidence in his own powers which sprang from his success on this occasion, when the fires of genius were kindled by those of passion. It was a limited confidence; though he knew himself mighty, he did not judge with more confidence than before, of the respective merits of his different productions. As far as it went, it was sustained by the general feeling; and when that foundation gave way, or rather, when in their dislike for his person, his countrymen began to underrate his mind, abusing him with zeal proportioned to their former idolatry, he, with his usual recklessness, set the general feeling at defiance: not because he had laid any deep plans of revenge, or approved at heart of profaneness and sensuality, but because he felt for the time like Richard III., and resolved, that, since he could no longer entertain, he would defy the world. We do not believe that he could have given a reason why he attacked so many unoffending poets in his satire; we do not believe that he could have drawn the poisoned element of Don Juan from any deep fountains in his own heart; we do not believe that he could have explained much of the conduct of his life, except by saying that such was his humor: it had been freely indulged through all his youth, and this was the reason that he would do and say what he could not justify, rather than seem under any control; this was the reason, that, when he had no longer a home, but was, like his Cain, a wanderer, he put on this resolute air of independence, to show that he could 'take his ease in his own inn.' Such characters are never resolute, but when they take their stand against others—so long as the

opposition lasts, their firmness endures; and in the indulgence of this defiance, regardless of what is right or wrong, they go as far beyond their own feelings as those of others, treating every thing unworthy, as justified by the rules of war.

Here we may as well say that we must be careful not to give too much weight to little incidents and expressions in forming our opinion of such characters. Mr. Moore occasionally errs in this respect; attaching an unnecessary importance to some of his sayings and actions, which, however they might bear upon his character, supposing them to be deliberate and meditated, are evidently vacant and unmeaning. For example, Byron, once holding the point of a dagger to his breast, was overheard to say, 'I should like to know how a person feels after committing a murder.' 'Here,' says his biographer, 'we may discover the germs of his future Giaours and Corsairs.' This is certainly magnifying an idle word and action; hundreds of youths, who could as soon have written the *Principia* as the Corsair, have done and said the same thing, without ever touching the secret spring that discovers the dark passions of the soul. Such indications as this amount to nothing; and it is difficult to judge from others of more importance, because young men born to no restraint and exempt by privilege, or misfortune, as it should be called, of birth, from those weights which regulate the motions of others, are apt to consider what others call serious things as trifles, and to exalt trifles into absurd importance: so that it is difficult to judge of their feeling from their conduct, beyond the main fact that the moral sentiment is inactive and perverted. Byron was certainly one of this class. He has left some sad examples of his talent at degrading into trifles what others hold in respect: saying that they were thoughtless, is not excusing them, for he was of an age to know what he was doing, and thoughtlessness is a crime if it lead to sacrilege and sensuality. That he made trifles important, appears from the influence he gave to his imagination in the conduct of life; he imagined himself set apart by his destiny from the communion of mankind—among them, but not of them: he was really desolate, but he imagined himself more so—and though one like him, might, by effort, have mastered all the unfavorable circumstances of his life, and have risen at any time from weakness to power, and from dishonor to glory, he imagined that nature and man conspired to keep him an alien from his race. Thus all his feelings were fancies—and

the day-dreams of imagination grew into the circumstances by which his life was governed. No one can account for his movements, without being in the same condition or under the same delusions: 'he sees a hand we cannot see, he hears a voice we cannot hear.' We do not believe that he could have explained to himself half the actions of his life; he could not remember the impulse by which he acted, after the fancy had died away; he had no conception of himself, except as a Harold or a Conrad, and these were creations of fancy, which had no original in any men that ever existed. No wonder that he should be still more unaccountable to others; sometimes he seems to us to move as much without reason as the wayfarer, who turns aside, mistaking the western clouds for mountains. Those who regard him as acting like other men in the same condition, will have but little forgiveness for his errors; while those who know the power of a busy imagination to suggest various courses of action—to conjure up obstacles or inducements, and to give the color of right to that which is wrong, will feel, as if, though they may not defend his words and deeds, there may be palliations visible to that eye that reads the heart.

The effect of his first travels is beautifully described by Mr. Moore, and may serve as a confirmation of what we have said respecting his want of energy within, and the manner in which he required to be sustained by lateral pressure. Strength of mind he possessed in abundance, but he had not strength of heart. He went away, feeling that satiety which always follows a surrender of the soul to pleasure, going out as it seemed, with little more than change of place in view; but his wanderings led him through regions where travel abounds, not merely as in more civilised regions, in vexation, but also in hardship and adventure. Every thing that he saw was new, and calculated to awaken the imagination, from the barbaric power of Ali Pacha, to the eloquent ruins of Athens; like all who have breathed the air of classical literature, the love of Greece lay deep in his soul; and when he traversed her blue waters and lonely mountains, he heard the voice of ages fast calling on him to secure a glorious immortality in all that were to come. He listened and 'his spirit was stirred in him,' his mind was excited to manly and vigorous actions, and he poured out his soul in strains never exceeded for the depth and fulness of their meaning or the bold music of their flow. Who will deny

that the inspiration which he borrowed from the land of recollections was afterwards splendidly repaid? The variety of scenes through which he passed—the persons he encountered and the places full of interest, which he saw, produced the effect of discipline and education; his mind learned to act with spirit and decision; and as he became fitted for intellectual duties and pleasures, he acquired a self-sustaining force, which rightly directed might have made him not merely eminent, but useful and happy. Before that time, he had been an entire stranger to intellectual exertion; though he had read much, it was with irregular and aimless range; whatever may be said of the improvement derived from his cultivated society at Newstead, is fully answered by their own descriptions of the engagements of a day; beside them, his associates were dogs, bears, and professors of pugilism, the most brutal of all arts. It was a fortunate hour when he grew weary of his pleasures, and fled to regions where all around him was calculated to excite curiosity and call out his powers. For even in poetry, up to this time he was inclined to an imitative style, which was to his faculties like the cramp of artificial gracefulness to the limbs, preventing all free action, except when as in the case of the review his momentary passion burst the cords with which his hands were bound. It was not, as his biographer supposes, that he grew more in love with solitude; solitude would not have invigorated a mind like his; it would have been stagnation to the fountains of his genius, and it needed all his activity in travel to trouble the waters; activity of the frame was essential to that of his mind; and thus quickened, he broke, in spite of himself, the chain of old poetical practice, and while he retained all his reverence for the classical form and his resolution to excel in it, indulged himself in other writings more suited to his taste; regarding the latter as the play and the former as his high ambition. This was the origin of Childe Harold—a sort of poetical journal of his thoughts and feelings, taken down in the moment's glow; he hardly considered it worthy the name of poetry, and yet nothing ever more surprised and delighted the world. This was what travel had done for him—it taught him to throw off his literary distrust and reserve, and to speak with ease and energy the native language of his heart.

There are few more interesting facts in literary history than this; Mr. Dallas saw Lord Byron immediately after his return and heard him speak with enthusiasm of a work, which he

believed would add much to his fame. This he put into Mr. Dallas's hands, who read it with dismay, and ventured to ask his Lordship if this was all the result of two interesting years. He said in reply, that he had some other short poems occasionally written during his absence, but they were not worth attention, and while he gave these carelessly to Mr. Dallas he insisted on the immediate publication of the other. Fortunately, the person into whose hands they fell, had capacity to understand their value and immediately told Lord Byron of the treasure he had found; but it was with the utmost difficulty he could prevail on the author to give it to the world. There are several such instances on record of the little power of authors to judge of their own productions, but none so remarkable as this. We allude to it as showing the manner in which he estimated the merit of his works by the labor with which they were written. He learned the right practice before he acquired the right taste; like the waking giant he threw off the bands which could only hold him while sleeping; and yet, had he remained in the Abbey where external influence could not be brought to bear upon his mind, he might have lived and died, leaving no more to be remembered than one of the monks that slept under its floors.

When Lord Byron returned to England, after his first travels, he felt as if he were going back, without pleasure, to a land which had no claim upon his affections. It is true, that he had few of those attractions at home; but how many there are who have none of the enjoyments embraced in that inspiring word; and how many more whose home is only a distant and painful recollection! He had no friends either, except such as were ready-made; as he was prevented by pride and reserve from cultivating new attachments, there were few to welcome his return. Beside this, his circumstances were so unpromising, that Newstead had been entered with an execution. Such anticipations may have made him look forward at times to his return with a feeling of dread. It must be allowed too, that he overrated his own misery; he fixed his eyes on dark points, such as are found in every man's prospect, till there seemed to be nothing bright for him to hope or enjoy. He insisted on being miserable, as if it were a sacred duty, and there are many passages in his letters of 'most humorous sadness,' which remind us of Cowper's penitential letters to Newton, in which his natural mirth is perpetually breaking through the

artificial cloud. The very circumstance that he cherished so much the acquaintance of grief, proves that it could not have sunk so deep as he imagined, for sorrows always present, soon become, like the skulls on his table, too familiar to excite the least emotion. Altogether, it seems evident to us that Byron's heart was set on England; it certainly was so far as this,—that he found neither home nor rest in any other country. And how could it be otherwise? Lord Byron was thoroughly English in all his habits, tastes, and feelings; not only in his occasional courage, manliness and generosity, but in his haughtiness, caprice, and suspicion. His favorite amusements were of the rough and active kind, and some of his pleasures we must say, bore an English taint of grossness. He was English in his jealous and defensive pride, which could not pardon slight neglect, so easily as serious wrongs. There was no place where he found the least happiness, except in England; and when he left it at last, with expressions of hatred and defiance, it is evident that his wrath was fiercer, because he felt that he could not cease to love the land he had abandoned. While he lived abroad, he welcomed associates who had nothing but the name of English to recommend them, with as much delight, as Capt. Cooke saw the leaden spoon with the mark of London on one of the Sandwich Islands. It was the indignation and despair occasioned by his loss of popularity in England, which made him descend to low and licentious satire, in order to show that indifference which he never felt to England's good opinion. The fierce violence of disappointed pride is not to be hidden under a jesting tone. He seemed to act with the feeling of a lover to an unkind mistress—plunging into dissipation, with the wish and hope of giving her pain by his vices. Byron in like manner trusted that when England heard his voice echoing in riotous mirth from a foreign land, she would accuse herself of severity, and lament that so much power was lost, or worse than lost to the world. He felt all the while, as if the English public were the arbiters of his fame; and probably, when he left England the second time, he would have chosen rather to remain, and face the changed wind of popular feeling which beat in a perfect storm upon him, had he not felt as if his poetical fame was waning, and his circumstances in hopeless confusion. But wherever he went, 'What will they say of us in England?' was the uppermost question, asked partly in tenderness, partly in scorn;—it had its share in

the impulse which drove him to Greece, and when he perished there we believe that England,—we know that his wife, child, and sister,—were the last mortal vision that faded from his soul.

Lord Byron never appeared in so interesting a light, as at the time when Childe Harold had made him the gaze of every eye. This was the happiest and most brilliant portion of his life; indeed the only portion to which those words can properly be applied. Beside his literary pretensions, he had begun to aspire to the fame of an orator, and had already spoken once or twice, with promising success. But all other hopes were dimmed by his poetical triumph, and seldom has there broken on the eye of man a scene of equal glory. He had not anticipated this; he had reproached himself with relying so far on the opinion of his friends, as to give his poem to the press; his success therefore was made more welcome by surprise; and when we remember that in addition to this he had the charms of high birth, renowned ancestry, and uncommon beauty of person, it is not strange that the public with its English enthusiasm, should have been transported with admiration. Wherever he went he was received with rapture; nobility, fashion, even royalty itself united in the general acclamation; his natural shyness passed for the absence of genius; his constraint in formal society was taken for the coldness of sorrow; his brow was supposed to be overcast by a melancholy imagination; his faults, so far as known, gave an air of romantic wildness to his character, though they were generally veiled by the clouds of incense that rose from every side and gathered round him. Those who had suffered from his sarcasm laid their resentment by; and came manfully forward to offer at once their forgiveness and applause; sensitive as he was on the subject of self, he had every thing to keep him in a state of perpetual excitement, delightful, no doubt for a time, but calculated, when its first freshness was over, to bring more uneasiness than gratification; and a poor preparation for that hour when the sounds of applause were to die away, and nothing to be heard but the murmur of condemnation, that reached him even across the deep.

As we have said, he appears more amiable at this period of his life than at any other; for a time, he is at peace with himself and all around him. The appearance of the Giaour, and the compliments paid him by Jeffrey on that occasion, completed his exultation. But while it is pleasant to witness the

rejoicing of success, Byron's friends, had they known his nature, would have trusted but little to the promise of that hour. We cannot judge of a dwelling by its appearance when illuminated for a victory, nor of any character by the happiness produced by circumstances; for such happiness cannot last, and when it goes, it leaves the heart more desolate than it was before. If the world's favor did not change, it was almost certain that he himself would alter; after living on this exciting element for a while, it would naturally lose its power; the fountain having been drained in the beginning could not be filled anew; and as nothing less luxurious would satisfy his desires, he must of course return to his old state of depression, sinking low in proportion to the height from which he fell. Such was the result; we soon find him making arrangements for another voyage; he seemed to anticipate the time when the popular interest should fail him, and therefore kept himself as much apart as possible; still the change was to come in the order of nature, and it came first in him; he grew weary of receiving sooner than the world of giving its praise. He says of Sheridan, 'What a wreck is that man! and all from bad pilotage; for no one had ever better gales.' The same might be said of himself at this time; but the truth is, that no winds are favorable to those who are not made in a measure independent of circumstances by something firm within; when energy at heart is wanting, it requires a miraculous combination of circumstances to keep one good, prosperous or happy.

This brings us to Lord Byron's marriage and separation; a piece of history which has long been publicly discussed, and with a freedom unusual in such cases; it was investigated perhaps with the more earnestness from its being carefully hidden; but now, the slight mystery that hung over it is removed by Mr. Moore's publication, and a statement from Lady Byron, which has followed it, and which reveals all the circumstances that the public are likely ever to know. This is the first time she has ever appealed to the public against the charm of her husband's poetical insinuations; silence was certainly the more dignified course, and no explanation from her was called for; the public feeling in the circle round them was all on her side, and Lord Byron was visited with a sentence of outlawry, which made him an exile ever after. There was a stern cry of indignation against him, which indicated either that the English fashionable world had been suddenly converted to rigid morality, or that his popu-

larity was on the wane, and enemies of all descriptions, literary and political, took advantage of the moment to give him a fatal blow. The history of the separation, as given in this work, leaves a charge of duplicity on Lady Byron, which she did wisely to repel. He says, that shortly after the birth of her daughter, she went to visit her parents; they parted in the utmost kindness; she wrote him a letter on the way full of playfulness and affection, and as soon as she arrived at Kirkby Mallory, her father wrote to inform Lord Byron that she would never return. This was at a time when his pecuniary embarrassments had become intolerably pressing; executions had been repeatedly in his house; and for a wife to choose this time and manner to leave her husband would inspire a natural prejudice against her, unless there were grave reasons to justify her apparent want of sincerity and good feeling.

Lady Byron explains her conduct in a letter written to justify her parents from the charge of interfering on this occasion. She states that she believed her husband insane, and acted upon that impression, both in leaving him and in writing her letter, choosing the tone and manner least likely to irritate his passions. She states that had she not considered him insane, she could not have borne with him so long. She endeavored to obtain a separation, but the circumstances were not thought sufficient to make out the case of insanity. We are not surprised that such was her impression. Mr. Moore mentions that Byron was in the habit of keeping fire-arms in his carriage and near his bed. Such extravagance was enough to excite her suspicion of his soundness of mind; and there was nothing to quiet her apprehensions in his temper, which was grown irresistible by long indulgence of self-will; he was wholly untaught to submit to those mutual concessions, which domestic happiness and harmony require. When we remember that his passions, which he himself describes as occasionally savage, were incensed by seeing his house repeatedly in possession of officers of the law, no wonder that all should have seemed like madness, to her even spirit and uniform feelings.

We do not know how any one acquainted with the history of their attachment, could have anticipated any other result. The first mention of Lady Byron is found in the Journal.

'A very pretty letter from Annabella, which I answered. What an odd situation and friendship is ours! without one spark of love on either side, and produced by circumstances which in

general lead to coldness on one side and aversion on the other. She is a very superior woman, and very little spoiled, which is strange in an heiress—a girl of twenty—a peeress that is to be in her own right, an only child, and a *savante*, who has always had her own way. She is a poetess—mathematician—metaphysician, and yet very kind, generous, and gentle, with very little pretension.' p. 331.

Here it seems there was no love on either side. He says in another place, 'a wife would be the salvation of me;' and this Mr. Moore explains, by his conviction that 'it was prudent to take refuge in marriage from those perplexities, which form the sequel of all less regular ties.' These are ominous words. He offered himself at that time to Miss Milbanke, and was rejected; 'on neither side was love either felt, or professed.' 'In the meantime new entanglements, in which his heart was the willing dupe of his fancy and vanity, came to engross the young poet; and still, as the usual penalties of such pursuits followed, he found himself sighing for the sober yoke of wedlock as some security against their recurrence.' Such is his friend's account of the reasons of this connexion. Some time after this a friend advised him to marry, to which he assented, 'after much discussion.' He himself was for another application to Miss Milbanke, but his friend dissuaded him, on the ground that she was learned, and had then no fortune. He at last agreed that his friend should write a proposal to another lady; it was rejected. 'You see,' said Lord Byron, 'that Miss Milbanke is to be the person.' He immediately wrote to her, and his friend reading what he had written, said, 'this is really a very pretty letter; it is a pity it should not go.' 'Then it shall go,' said Lord Byron. It went, and the offer was accepted. In this way the most important action of his life was done. He said, 'I must of course reform,' and with this shadow of a resolution, he went through the ceremony in a kind of thoughtless heaviness, which he was at no pains to conceal. What induced Lady Byron to risk her happiness in such an adventure, we cannot tell, unless she was ambitious of the glory of reforming such a man. If so, she did her part, by his own acknowledgment.

'I do not believe, and I must say it, in the dress of this bitter business, that there ever was a better, or even a brighter, kinder, more agreeable or more amiable being than Lady B. I never had, nor can have, any reproach to make her while with me.'

Such hopes are invariably disappointed; their only chance of success consists in a strong hold upon the affections, which she never had on his. Such a marriage contract, like the book of some ancient prophet, was written within and without, with lamentation, mourning, and woe.

Mr. Moore is inclined to attribute all this to the incapacity of men of genius to enjoy domestic peace. He forgets that in defending his friend, he does injustice to talent as well as to Him who gave it. Examples may be found among poets of such unfortunate marriages, but there is no connexion of cause and effect between their genius and their guilt or calamity, which ever it may be. We do not believe a single word of his refined speculation on this subject. We cannot believe that poetical inspiration, that glorious gift of God, can ever be a curse to its innocent possessor. Like every thing else, it may be abused; and then the greater the power the wider will be the destruction. But there is no tendency to abase in its nature. There is no need of giving the reins to imagination. Where this power is strong, the judgment, if encouraged, will be strong in full proportion, and, if taught to do its office, will keep the fancy from excesses as well as the passions. So far from giving even a distaste for reality, it will give a charm to reality by surrounding it with elevating associations, it will raise its possessor above the common level of life, not too high to see all things distinctly, and yet so high that he can look over and beyond them. Man is made lord of all his passions—invested with power over all the elements of his nature. He may keep or he may resign it; he may cast the crown from his head—he may make himself the slave of those affections which he is bound to govern; but let him not libel his nature, for he makes himself weak when heaven meant him to be strong; he sinks himself into degradation and sorrow where Providence would never have placed him. The fault is all in his own infirmity of purpose and will.

We shall not probably have another opportunity of speaking of Lord Byron, and we cannot leave the subject without saying a word of his writings. His name has now become historical, and his works are registered in the treasures of English poetry. Now, if ever, they can be fairly judged. The enthusiasm in favor of the writer has nearly died away; and, as usual in cases of reaction, begins to be succeeded by an indifference, which is more fatal than any other infliction to a poet's fame.

His works are not so much read at present as they will be some years hence, when what is obscure and prosaic about them will be passed by, the grosser parts dismissed to oblivion, and that which is great and excellent be read with an unmingled pleasure, which his readers cannot now enjoy.

Childe Harold is his most important work, and on this and his lyrical poems his fame must ultimately depend. It was a secret outpouring of his soul, deeply colored by his peculiar genius and feeling. It bears no marks of that constraint and adaptation produced by a consciousness that the public eye was upon him. The Childe is a character sufficiently natural, and the feelings embodied in it by the poet, allowing for a little overstatement, nearly resembled his own. It was a happy imagination to represent only the more striking scenes, such as would be likely to fix the attention of an uninterested wanderer. It affords an excuse for passing over what is unsuited to poetical description, and for giving bold relief to such as could kindle the vacant pilgrim's heart and eye. All about the poem, even its abruptness and disorder, is brought into keeping, so that irregularity becomes a beauty.

But the character of the Childe was so successful, and he was so much flattered by its being taken for a likeness of his own, that, instead of imagining new, he was tempted to draw it again. In the Giaour, Corsair, and other poems, he multiplies copies of this original; but in attempting to give them additional effect, he has gone beyond the bounds of truth and nature. We can imagine some good feelings lingering in the ruins of a libertine's character, and reviving when his heart is moved to tenderness; but to transfer the same affections to pirates and murderers is so shocking to probability, that none but very young readers can be interested. It is surprising that he should not have felt, that to ascribe habitual good feeling to such a character is quite as unnatural, as to imagine good men living in the practice of robbery and murder. Still these works abound in traits of great loveliness and power; and though they did not injure his fame, could not prevent its natural decline—a decline which must come unless every new effort of a poet transcend the last. It was an indifference which he could not well bear. Though he constantly declared his weariness of the world and the men of it, he could not endure that the world should grow weary of him.

We must say that we consider some of his lyrical poems

as the finest in the language. The deep feeling which he delighted to express was better suited to short pieces than to long poems. For though in a poem such passages occur at times with startling effect, they give the humble aspect of prose to all that comes between. But many of them are out of the reach of criticism or of praise. The allusions to lost friends which close the two first cantos of Childe Harold never will be read without emotion. His 'Night before Waterloo' will make hearts thrill longer than the victory, and his 'Thunder Storm in the Alps' will be remembered as long as thunders roll.

We are bound to say of this work, that the moral tone is not what it should have been. Not that the writer endeavors to conceal Lord Byron's faults—he tells them without reserve; nor that he flatters the moral character of his subject. So far as he had any clear conceptions of a character so unformed, he gives them with great impartiality. But he speaks of vices at times with a light and careless air, as if they were harmless if not discovered. Still the moral effect of his work will not be so unfavorable as might be feared; for, beside that it is not likely to be popular, envy is the very last feeling which his account of Lord Byron would inspire. Never was there a more striking picture of a man splendidly unhappy; weak in character, though mighty in his powers; solitary as a hermit, though born to rank and fortune; wandering without pleasure and reposing without rest; admired by millions and loved by very few; able to move the spirit of nations, and himself like the great ocean lifted and broken by gales that would not have agitated humbler waters. We freely confess that we read his history with compassion; feeling as if one who was never directed in the right way, could hardly be said to have wandered. But no such feelings can deceive us into an approbation of his character; we hold him up as a warning, not as an example. We might have waited for the conclusion of this 'Life,' but for various reasons thought it better to notice the first volume. There can be nothing to make us regret that we have done so in the registry yet to come. His hopeless fall began after his separation from his wife and his retreat from England. We have followed him to the edge of the cataract, and have no disposition to see him dash below.

ART. IX.—*Tales of the North West, or Sketches of Indian Life and Character, by a Resident beyond the Frontier.* 18mo. Boston. 1830.

This little volume is understood to be the production of a young writer, who has grown up among the wild scenes of the North-Western frontier of our country, and being now restored to the abodes of civilized life, has given us the fruits of his experience in the form of tales. We have had some reason to suppose that the North-West coast was a pretty good school, and the work before us will go far to extend this favorable prepossession to the internal regions in that quarter of the continent. Considering the circumstances under which it was prepared, we look upon it as one of much promise. The descriptions of nature, both living and inanimate, have a striking air of truth and fidelity, and the style of execution is marked throughout with great freedom and power. There are no doubt obvious symptoms of immature taste, and a too rapid preparation; but these are defects that are naturally and easily corrected when there is talent at bottom. If in his future attempts the author will bestow more care and reflection upon the arrangement of his materials, and allow himself more time for composition and revision, we think we can assure him a decided success.

The characters that figure in these narratives are the Indians, the half-breeds, and the American and English hunters, that roam through the vast solitudes of the Missouri territory, and are all different varieties of the same general character. The representation given by our author of the manners of the natives is somewhat less poetical, but probably more true than that of Cooper. The leading traits of the picture are, however, substantially the same which appear in his delineations, and which, with few or no important discrepancies, have been assigned by almost all observers to the aboriginal inhabitants of our continent. The Indians furnish undoubtedly one of the most favorable specimens of savage life that have yet been met with. The striking similarity between their state of society and that of the ancient Germans, as described by Tacitus, has been often pointed out, particularly by Robertson and Herder, and is obvious to the most cursory inspection. Whether the natives of our continent, had they been left to pursue their own course,

would have made a progress in civilisation, corresponding with that which has taken place in Europe, is a curious question, which it is now impossible ever to solve. It is much to be regretted, that political events of an accidental character are likely to defeat the only effort that has yet been made with a probability of success for bringing any portion of the natives within the pale of civilisation. The southwestern tribes had within a few years apparently overcome the first and greatest obstacles to improvement, and it is peculiarly unfortunate that just at this moment a combination of local and sectional interests should have operated to prevent the progress of this interesting experiment, and probably in the end to remove from our territory the tribes in which it was going on.

The tales contained in the volume before us are generally short. The longest, entitled the *Bois Brulé* (*Burnt Wood*, the French name for a half-breed), is not in our opinion the best. It is in fact the one in which, from its length, a want of maturity in plan and style would naturally be most observable. Among the most spirited and pleasing is the one entitled *Payton Skah*, or the White Otter, which we extract entire as a specimen of the author's manner.

'We have before intimated that we cannot pretend to much accuracy with regard to dates. So we are not certain that the events we are about to relate did not happen five centuries ago, perhaps more; but it is probable that the time was not so remote. Be that as it may, we shall give the facts in the same order in which tradition hands them down.

'The Dahcotahs were at war with the Mandans. Many were the onslaughts they made on each other, and long were they remembered. Among the Sioux warriors who struck the post, and took the war path, none was more conspicuous than Payton Skah, or the White Otter. He belonged to the Yankton band. When he returned from the field with his head crowned with laurels, or, more properly with his bridle rein adorned with Mandan scalps, the seniors of the tribe pointed to him and exhorted their sons to ride, to draw the bow, and to strike the enemy like Payton Skah.

'Payton Skah was a husband and a father. As soon as he was reckoned a man, and able to support a family, he had taken to his bosom the young and graceful Tahtokah (The Antelope), thought to be the best hand at skinning the buffalo, making moccasins, whitening leather, and preparing marrow fat, in the tribe. She was not, as is common among the Dahcotahs, car-

ried an unwilling or indifferent bride to her husband's lodge. No, he had lighted his match in her father's tent, and held it before her eyes, and she had blown it out, as instigated by love to do. And when he had espoused her in form, her affection did not diminish. She never grumbled at pulling off his leggins and moccasins when he returned from the chase, nor at drying and rubbing them till they became soft and pliant. A greater proof of her regard was, that she was strictly obedient to her mother-in-law. And Payton Skah's attachment, though his endearments were reserved for their private hours, was not less than hers. No woman in the camp could show more wampum and other ornaments than the wife of the young warrior. He was even several times known, when she had been to bring home the meat procured by his arrows, to relieve her of a part of the burthen by taking it upon his own manly shoulders. In due time, she gave him a son; a sure token that however many more wives he might see proper to take he would never put her away. The boy was the idol of his old grandmother, who could never suffer him out of her sight a moment, and used constantly to prophecy, that he would become a brave warrior and an expert horse-stealer; a prediction that his manhood abundantly verified.

'In little more than a year the youngster was able to walk erect. About this time the band began to feel the approach of famine. Buffaloes were supposed to abound on the river Des Moines, and thither Payton Skah resolved to go. His mother had cut her foot while chopping wood and was unable to travel; but she would not part with her grandchild. Tahtokah unwillingly consented to leave her boy behind, at the request of her husband, which indeed she never thought of disputing. One other family accompanied them. They soon reached the Des Moines, and encamped on its banks. Many wild cattle were killed, and much of their flesh was cured. The young wife now reminded her spouse that his mother must by this time be able to walk, and that she longed to see her child. In compliance with her wishes he mounted his horse and departed, resolved to bring the rest of the band to the land of plenty.

'At his arrival his compatriots, on his representations, packed up their baggage and threw down their lodges. A few days brought them to where he had left his wife and her companions. But the place was desolate. No voice hailed their approach; no welcome greeted their arrival. The lodges were cut to ribbons, and a bloody trail marked where the bodies of their inmates had been dragged into the river. Following the course of the stream, the corpses of all but Tahtokah were found on the shores and sand-bars. Hers was missing, but this gave her husband no consolation. He knew that neither Sioux nor Mandans

spared sex or age, and supposed it to be sunk in some eddy of the river. And Mandans, the marks the spoilers had left behind them, proved them to be.

'Now Payton Skah was, for an Indian, a kind and affectionate husband. The Sioux mothers wished their daughters might obtain partners like him; and it was proverbial to say of a fond couple, that they loved like Payton Skah and Tahtokah. Yet on this occasion, whatever his feelings might have been, he uttered no sigh, he shed no tear. But he gave what was, in the eyes of his co-mates, a more honorable proof of his grief. He vowed that he would not take another wife, nor cut his hair, till he had killed and scalped five Mandans. And he filled his quiver, saddled his horse, and raised the war-song immediately. He found followers, and departed incontinently. At his return but three obstacles to his second marriage remained to be overcome.

'In the course of the year he fulfilled the conditions of his vow. The five scalps were hanging in the smoke of his lodge, but he evinced no inclination towards matrimony. On the contrary, his countenance was sorrowful, he pined away, and every one thought he was in a consumption. His mother knew his disposition better. Thinking, not unwisely, that the best way to drive the old love out of his head was to provide him a new one, she, with true female perseverance, compelled him by teazing and clamor to do as she wished.

'So the old woman selected Chuntay Washtay (The Good Heart), for her son, and demanded her of her parents, who were not sorry to form such a connexion. The bride elect herself showed no alacrity in the matter; but this was too common a thing to excite any surprise or comment. She was formally made over to Payton Skah, and duly installed in his lodge.

'He was not formed by nature to be alone. Notwithstanding the contempt an Indian education inculcates for the fair sex, he was as sensible to female blandishments as a man could be. Though his new wife was by no means so kind as the old one, yet as she fulfilled the duties of her station with all apparent decorum, he began to be attached to her. His health improved, he was again heard to laugh, and he hunted the buffalo with as much vigor as ever. Yet when Chuntay Washtay, as she sometimes would, raised her voice higher than was consistent with conjugal affection, he would think of his lost Tahtokah and struggle to keep down the rising sigh.

'A young Yankton who had asked Chuntay Washtay of her parents previous to her marriage, and who had been rejected by them, now became a constant visiter in her husband's lodge. He came early, and staid and smoked late. But as Payton Skah saw no appearance of regard for the youth in his wife, he felt no

uneasiness. If he had seen what was passing in her mind, he would have scorned to exhibit any jealousy. He would have proved by his demeanor 'that his heart was strong.' He was destined ere long to be more enlightened on this point.

'His mother was gone with his child, on a visit to a neighboring camp, and he was left alone with his wife. It was reported that buffaloes were to be found at a little oasis in the prairie, at about the distance of a day's journey, and Chuntay Washtay desired him to go and kill one, and hang its flesh up in a tree out of the reach of the wolves. "You cannot get back to night," she said, "but you can make a fire and sleep by it, and return to morrow. If fat cows are to be found there we will take down our lodge and move."

'The White Otter did as he was desired. His wife brought his beautiful black horse, which he had selected and stolen from a drove near the Mandan village, to the door of the lodge. He threw himself on its back, and having listened to her entreaties that he would be back soon, rode away.

'His gallant steed carried him to the place of his destination with the speed of the wind. The buffaloes were plenty, and in the space of two hours he had killed and cut up two of them. Having hung the meat upon the branches, he concluded that as he had got some hours of daylight, he would return to his wife. He applied the lash, and arrived at the camp at midnight.

'He picketed his horse carefully, and bent his way to his own lodge. All was silent within, and the dogs, scenting their master, gave no alarm. He took up a handful of dry twigs outside the door and entered. Raking open the coals in the centre of the lodge, he laid on the fuel, which presently blazed and gave a bright light. By its aid he discovered a spectacle that drove the blood from his heart into his face. There lay Chantay Washtay, fast asleep by the side of her quondam lover. Payton Skah unsheathed his knife and stood for a moment irresolute; but his better feelings prevailing, he returned it to its place in his belt, and left the lodge without awakening them. Going to another place, he laid himself down, but not to sleep.

'But when the east began to be streaked with grey, he brought his horse, his favorite steed, to the door of the tent. Just as he reached it, those within awoke, and the paramour of Chantay Washtay came forth and stood before him. He stood still. Fear of the famous hunter and renowned warrior kept him silent. Payton Skah, in a stern voice, commanded him to re-enter; and when he had obeyed followed him in. The guilty wife spoke not, but covered her face with her hands, till her husband directed her to light a fire and prepare food. She then rose and hung the earthen utensil over the fire, and the repast was soon

ready. At the command of Payton Skah she placed a wooden platter or bowl before him, and another for his unwilling guest. This last had now arrived at the conclusion that he was to die, and had screwed up his courage to meet his fate with the unshrinking fortitude of an Indian warrior. He ate, therefore, in silence, but without any sign of concern. When the repast was ended, Payton Skah produced his pipe, filled the bowl with tobacco mixed with the inner bark of the red willow, and, after smoking a few whiffs himself, gave it to the culprit. Having passed from one to the other till it was finished, the aggrieved husband ordered his wife to produce her clothing and effects, and pack them up in a bundle. This done he rose to speak.

'"Another in my place," he said to the young man, "had he detected you as I did last night, would have driven an arrow through you before you awoke. But my heart is strong, and I have hold of the heart of Chantay Washtay. You sought her before I did, and I see she would rather be your companion than mine. She is yours; and that you may be able to support her, take my horse, and my bow and arrows also. Take her and depart, and let peace be between us."

'At this speech, the wife, who had been trembling lest her nose should be cut off, and her lover, who had expected nothing less than death, recovered their assurance and left the lodge. Payton Skah remained; and while the whole band was singing his generosity, brooded over his misfortunes in sadness and silence.

'Notwithstanding his boast of the firmness of his resolution, his mind was nearly unsettled by the shock. He had set his whole heart upon Tahtokah, and when the wound occasioned by his loss was healed, he had loved Chantay Washtay with all his might. He could vaunt of his indifference to any ill that woman could inflict to the warriors of his tribe, but the boast that they could have truly made, was not true coming from him.

'Though one of the bravest of men, his heart was as soft as a woman's, in spite of precept and example. At this second blight of his affections, he fell into a settled melancholy, and one or two unsuccessful hunts convinced him that he was a doomed man; an object of the displeasure of God; and that he need never more look for any good fortune. A post dance, at which the performers alternately sung their exploits, brought this morbid state of feeling to a crisis. Like the rest, he recounted the deeds he had done, and declared that to expiate the involuntary offence he had committed against the Great Spirit, he would go to the Mandan village and throw away his body. All expostulation was vain; and the next morning he started on foot and alone to put his purpose in execution.

'He travelled onward with a heavy heart, and the eighth evening found him on the bank of the Missouri, opposite the Mandan village. He swam the river, and saw the lights shine through the crevices, and heard the dogs bark at his approach. Nothing dismayed, he entered the village, and promenaded through it two or three times. He saw no man abroad, and impatient of delay, entered the principal lodge. Within he found two women, who spoke to him, but he did not answer. He drew his robe over his face, and sat down in a dark corner, intending to await the entrance of some warrior, by whose hands he might honorably die. The women addressed him repeatedly, but could not draw from him any reply. Finding him impenetrable, they took no further notice, but continued their conversation as if no one had been present. Had they known to what tribe he belonged they would have fled in terror; but they supposed him to be a Mandan. He gathered from it that the men of the village were all gone to the buffalo hunt, and would not return till morning. Most of the females were with them. Here then, was an opportunity to wreak his vengeance on the tribe such as had never before occurred, and would probably never occur again. But he refrained in spite of his Indian nature. He had not come to kill any one as on former occasions, but to lay down his own life; and he remained constant in his resolution.

'If it be asked why the Mandans left their village in this defenceless condition, we answer, that Indian camps are frequently left in the same manner. Perhaps they relied on the broad and rapid river, to keep off any roving band of Dahcotahs that might come thither. Payton Skah sat in the lodge of his enemies till the tramp of a horse on the frozen earth, and the jingling of the little bells round his neck, announced that a warrior had returned from the hunt. Then the White Otter prepared to go to whatever lodge the Mandan might enter, and die by his arrows or tomahawk. But he had no occasion to stir. The horseman rode straight to the lodge in which he sat, dismounted, threw his bridle to a squaw, and entered. The women pointed to their silent guest, and related how unaccountably he had behaved. The new comer turned to Payton Skah and asked who and what he was. Then the Yankton, like Caius Marius within the walls of Corioli, rose, threw off his robe, and, drawing himself up with great dignity, bared his breast and spoke. "I am a man. Of that, Mandan, be assured. Nay, more: I am a Dahcotah, and my name is Payton Skah. You have heard it before. I have lost friends and kin by the arrows of your people, and well have I revenged them. See, on my head I wear ten feathers of the war-eagle. Now it is the will of the Master of life that I

should die, and to that purpose came I hither. Strike, therefore, and rid your tribe of the greatest enemy it ever had."

'Courage, among the aborigines, as charity among Christians, covereth a multitude of sins. The Mandan warrior cast on his undaunted foe a look in which respect, delight, and admiration were blended. He raised his war-club as if about to strike, but the Siou blenched not; not a nerve trembled—his eyelids did not quiver. The weapon dropped from the hand that held it. The Mandan tore open his own vestment, and said, "No, I will not kill so brave a man. But I will prove that my people are men also. I will not be outdone in generosity. Strike thou; then take my horse and fly."

'The Siou declined the offer, and insisted upon being himself the victim. The Mandan was equally pertinacious; and this singular dispute lasted till the latter at last held out his hand in token of amity. He commanded the women to prepare a feast, and the two generous foes sat down and smoked together. The brave of the Missouri accounted for speaking the Dahcotah tongue by saying that he was himself half a Siou. His mother had belonged to that tribe and so did his wife, having both been made prisoners. In the morning Payton Skah should see and converse with them. And the Yankton proffered, since it did not appear to be the will of the Great Spirit that he should die, to become the instrument to bring about a firm and lasting peace between the two nations.

'In the morning the rest of the band arrived, and were informed what visitor was in the village. The women screamed with rage and cried for revenge. The men grasped their weapons and rushed tumultuously to the lodge to obtain it. A great clamor ensued. The Mandan stood before the door, declaring that he would guarantee the rights of hospitality with his life. His resolute demeanor, as well as the bow and war club he held ready to make his words good, made the impression he desired. The Mandans recoiled, consulted, and the elders decided that Payton Skah must be carried as a prisoner to the council-lodge, there to abide the result of their deliberations.

'Payton Skah, indifferent to whatever might befall him, walked proudly to the place appointed in the midst of a guard of Mandans, and accompanied by the taunts and execrations of the squaws. The preliminary of smoking over, the consultation did not last long. His new friend related how the prisoner had entered the village, alone and unarmed, save with his knife; how he had magnanimously spared the women and children when at his mercy; and how he had offered to negotiate a peace between the two tribes. Admiration of his valor overcame the hostility of the Mandans. Their hatred vanished like snow before the

sun, and it was carried by acclamation, that he should be treated as became an Indian brave, and dismissed in safety and with honor.

'At this stage of the proceedings a woman rushed into the lodge, broke through the circle of stern and armed warriors, and threw herself into the arms of the Dahcotah hero. It was Tahtokah, his first, his best beloved! He did not return her caresses; that would have derogated from his dignity; but he asked her how she had escaped from the general slaughter at the Des Moines, and who was her present husband.

'She pointed to the Mandan to whom he had offered his breast. He it was, she said, who had spared her, and subsequently taken her to wife. He now advanced and proposed to Payton Skah to be come his *kodah*, or comrade, and to receive his wife back again, two propositions to which the latter gladly assented. For according to the customs of the Dahcotahs, a wife may be lent to one's kodah without any impropriety.

'The Mandans devoted five days to feasting the gallant Yankton. At the end of that time he departed with his recovered wife, taking with him three horses laden with robes and other gifts bestowed on him by his late enemies. His kodah accompanied him half way on his return, with a numerous retinue, and at parting received his promise that he would soon return. We leave our readers to imagine the joy of Tahtokah at seeing her child again on her arrival among the Sioux, as well as the satisfaction of the tribe at hearing that its best man had returned from his perilous excursion alive and unhurt. In less than two months Payton Skah was again among the Mandans with six followers, who were hospitably received and entertained. An equal number of Mandans accompanied them on their return home, where they experienced the like treatment. As the intercourse between the tribes became more frequent hostilities were discontinued, and the feelings that prompted them were in time forgotten. The peace brought about as above related has continued without interruption to this day. As to Payton Skah, he recovered his health and spirits, was successful in war and the chase, and was finally convinced that the curse of the Almighty had departed from him.

Weenokhenchah Wandeeteekah, or the Brave Woman, is another very agreeable story. The hero, *Toskatnay*, or the Woodpecker, is represented as a young *Dahcotah* of high pretensions on the score of intellectual and personal merit. He is rescued from an imminent danger by the courage and presence of mind of a copper-colored beauty, bearing the formidable

name just quoted, and without much previous attachment marries her out of gratitude. A well-stocked harem is, it seems, one of the principal means of political advancement among the Indians; and our Woodpecker, being of an ambitious turn, after a while espouses a second wife, of whose name we are not informed, but who is the daughter of a leading Chief, called the Heron. The two dames very naturally quarrel, and out of their differences grows the distress of the tale. We extract the conclusion, which begins with a pleasing description of the Falls of St. Anthony, on the Upper Mississippi.

'There is nothing of the grandeur or sublimity, which the eye aches to behold at Niagara, about the falls of St. Anthony. But in wild and picturesque beauty it is perhaps unequalled. Flowing over a tract of country five hundred miles in extent, the river, here more than half a mile wide, breaks into sheets of foam and rushes to the pitch over a strongly inclined plane. The fall itself is not high, we believe only sixteen feet perpendicular, but its face is broken and irregular. Huge slabs of rock lie scattered below, in wild disorder. Some stand on their edges, leaning against the ledge from which they have been disunited. Some lie piled upon each other in the water, in inimitable confusion. A long, narrow island divides the fall nearly in the middle. Its eastern side is not perpendicular, but broken into three distinct leaps, below which the twisting and twirling eddies threaten destruction to any living thing that enters them. On the western side, in the boiling rapids below, a few rods from the fall, stands a little island, of a few yards area; rising steep from the waters, and covered with forest trees. At the time of our story, its mightiest oak was the haunt of a solitary bald eagle, that had built his eyrie on the topmost branches, beyond the reach of man. It was occupied by his posterity till the year eighteen hundred and twenty-three, when the time-honored crest of the vegetable monarch bowed and gave way before the northern tempest. The little islet was believed inaccessible, till two daring privates of the fifth regiment, at very low water, waded out in the river above, and ascending the fall by means of the blocks of stone before mentioned, forded the intervening space, and were the first of their species that ever set foot upon it.

'Large trunks of trees frequently drift over, and diving into the chasms of the rocks, never appear again. The loon, or great northern diver, is also, at moulting time, when he is unable to rise from the water, often caught in the rapids. When he finds himself drawn in, he struggles with fate for a while, but finding escape impossible, he faces downwards and goes over, screaming

horribly. These birds sometimes make the descent unhurt. Below, the rapids foam and roar and tumble for half a mile, and then subside into the clear, gentle current that continues unbroken to the Rock River Rapids; and at high water to the Gulf of Mexico. Here too, the high bluffs which enclose the Mississippi commence. Such was the scene at the time of this authentic history, but now it is mended or marred, according to the taste of the spectator, by the works of the sons of Adam. It can shew its buildings, its saw-mill, its grist-mill, its cattle, and its cultivated fields. Nor is it unadorned with traditional honors. A Siou can tell you how the enemy in the darkness of midnight, deceived by the false beacons lighted by his ancestors, paddled his canoe into the rapids, from which he never issued alive. He can give a good guess too, what ghosts haunt the spot, and what spirits abide there.

'To return to our story: Toskatnay and his band passed the falls and raised their lodges a few rods above the rapids. It so happened that evening, that a violent quarrel arose between the two wives, which the presence of some of the elders only, prevented from ending in cuffing and scratching. When the master of the lodge returned, he rebuked them both, but the weight of his anger fell on Weenokhenchah Wandeeteekah, though in fact, the dispute had been fastened on her by the other. She replied nothing to his reproaches, but his words sunk deep into her bosom, for he had spoken scornfully of her, saying that no Siou had so pitiful a wife as himself. She sobbed herself to sleep, and when the word was given in the morning to strike the tents, she was the first to rise and set about it.

'While the business of embarkation was going on, it so chanced that the child of the poor woman crawled in the way of her rival, and received a severe kick from her. This was too much for the mother. Vociferating such terms as are current only at Billingsgate and in Indian camps, for squaws are not remarkable for delicacy of expression, she fastened upon the Heron's daughter tooth and nail, who was not slow to return the compliment. Luckily their knives were wrested from them by the by-standers, or one or both would have been killed on the spot. This done, the men laughed and the women screamed, but none offered to part them, till Toskatnay, who was busy at the other end of the camp, patching a birch canoe, heard the noise, and came and separated them by main force. He was highly indignant at an occurrence that must bring ridicule upon him. The Heron's daughter he reproved, but Weenokhenchah Wandeeteekah he struck with his paddle repeatedly, and threatened to put her away. This filled the cup of her misery to overflowing: she looked at him indignantly and said, "You shall

never reproach me again." She took up her child and moved away, but he, thinking it no more than an ordinary fit of sullenness, paid no attention to her motions.

'His unkindness at this time had the effect of confirming a a project that she had long revolved in her mind, and she hastened to put it in execution. She embarked in a canoe with her child, and pushing from the shore, entered the rapids before she was perceived. When she was seen, both men and women, among whom her husband was the most earnest, followed her on the shore, entreating her to land ere it was too late. The river was high, so that it was impossible to intercept her, yet Toskatnay, finding his entreaties of no avail, would have thrown himself into the water to reach the canoe, had he not been withheld by his followers. Had this demonstration of interest occurred the day before, it is possible that her purpose would have been forgotten. As it was, she shook her open hand at him in scorn, and held up his child for him to gaze at. She then began to sing, and her song ran thus.

'"A cloud has come over me. My joys are turned to grief. Life has become a burden too heavy to bear, and it only remains to die.

'"The Great Spirit calls, I hear his voice in the roaring waters. Soon, soon, shall they close over my head, and my song shall be heard no more.

'"Turn thine eyes hither, proud chief. Thou art brave in battle, and all are silent when thou speakest in council. Thou hast met death, and hast not been afraid.

'"Thou hast braved the knife, and the axe; and the shaft of the enemy has passed harmless by thee.

'"Thou hast seen the warrior fall. Thou hast heard him speak bitter words with his last breath.

'"But hast thou ever seen him dare more than a woman is about to do?

'"Many speak of thy deeds. Old and young echo thy praises. Thou art the star the young men look upon, and thy name shall be long heard in the land.

'"But when men tell of thy exploits, they shall say, 'He slew his wife also!' Shame shall attend thy memory.

'"I slew the ravenous beast that was about to destroy thee. I planted thy corn, and made thee garments and moccasins.

'"When thou wast an hungred, I gave thee to eat, and when thou wast athirst, I brought thee cold water. I brought thee a son also, and I never disobeyed thy commands.

'"And this is my reward! Thou hast laughed at me. Thou hast given me bitter words, and struck me heavy blows.

'"Thou hast preferred another before me, and thou hast driven me to wish for the approach of death, as for the coming winter.

'"My child, my child! Life is a scene of sorrow. I had not the love of a mother, did I not snatch thee from the woes thou must endure.

'"Adorn thy wife with ornaments of white metal, Toskatnay. Hang beads about her neck. Be kind to her, and see if she will ever be to thee as I."'

'So saying, or rather singing, she went over the fall with her child, and they were seen no more.

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'One year precisely from this time, Toskatnay followed the track of a bear which he had wounded, to the brink of the falls. He halted opposite the spot where Weenokhenchah Wandeeteekah had disappeared, and gazed on the foaming rapid. What was passing in his mind it is impossible to say. He had reached the summit of his ambition. He was acknowledged a chief, and he had triumphed over the Beaver and the Chippeways. But she for whose sake he had spurned the sweetest flowers of life, true love and fond fidelity, had proved faithless to him, and fled to the Missouri with another man. He had nothing farther to look for, no higher eminence to attain, and his reflections were like those of him who wept because he had no more worlds to conquer. A strange occurrence roused him from his reverie. A snow-white doe, followed by a fawn of the same color, came suddenly within the sphere of his vision; so suddenly, that they seemed to him to come out of the water. Such a sight had never before been seen by any of his tribe. He stood rooted to the ground. He who had never feared the face of man, trembled like an aspen with superstitious terror. The animals, regardless of his presence, advanced slowly towards him and passed so near that he might have touched them with his gun. They ascended the bank and he lost sight of them. When they were fairly out of sight, he recovered from the shock, and stretching out his arms after them, conjured them to return. Finding his adjurations vain, he rushed up the bank, but could see nothing of them, which was the more remarkable as the prairie had just been burned over, and for a mile there was no wood or inequality in the ground, that could have concealed a much smaller animal than a deer.

'He returned to his lodge, made a solemn feast, at which his relatives were assembled, and sung his death-song. He told his wondering auditors that he had received a warning to prepare for his final change. He had seen the spirits of his wife and child. No one presumed to contradict his opinion. Whether founded in reason or not, it proved true in point of fact. Three

weeks after, the camp was attacked by the Chippeways. They were repulsed, but Toskatnay, and he only, was killed.

'No stone tells where he lies, nor can any of the Dahcotahs shew the spot. His deeds are forgotten, or at best, faintly remembered; thus showing "on what foundation stands the warrior's pride;" but his wife still lives in the memory of her people, who speak of her by the name of Weenokhenchah Wandeeteekah, or the Brave Woman.'

ART. X.—*The Philosophy of the Active and Moral Powers of Man. By Dugald Stewart.* 2 vols. 8vo. Edinburgh. 1828.

The name of Dugald Stewart is one of the few, which, of late years, serve to relieve in part the character of the mother country from the charge of a comparative neglect of the great sciences of intellectual and moral philosophy. His writings upon these all-important subjects, if not the most powerful, are perhaps the most engaging in form, and consequently the most attractive to the general reader, in the language. In the works of the late Dr. Parr, we find a complimentary note addressed to Stewart, in which he is described as superior, for the union of fine taste and deep thought, to all other writers since the time of Bacon. This eulogy partakes of the exaggeration, which habitually marked the manner of the great Hellenist. Various writers, posterior to Bacon, might be mentioned, who combined with at least an equal command of language a higher power of original thinking, as, for instance, Shaftsbury, Berkeley, Hume, Burke, and Adam Smith. But none of these or of the others, who might fairly be considered as belonging to this class, with the exception perhaps of Hume, have pretended to give us a complete body of intellectual and moral science; and the remark of Parr, if considered as limited to such as have done this, might be received as substantially true. Locke, with a much superior power of thought, and with a plain, manly, and substantially good style, wants taste and elegance, and is undoubtedly, on the whole, much less attractive. Hume was perhaps superior in taste as well as natural acuteness and sagacity to Stewart; but such were the strange aberrations of his intellect, when applied to the study of metaphysics and morals,

that his works on these subjects have little or no value, excepting as curious indications of the progress of learning, and of its state at a particular period. Reid, the founder of the Edinburgh school, was deficient in the graces of manner, which belonged to his pupil, who is, therefore, on the whole, at present, and will probably long remain, among English authors, the most popular professor of moral science.

The praise of exhibiting, with taste and elegance, the results of a somewhat limited power of thinking, may perhaps appear, at first view, to be not very high; but when we look through the history of learning, and remark with what economy intellectual gifts of the highest order have been always imparted to our race, we shall not be disposed to consider it as too scanty. To strike out new and entirely original ideas on abstract subjects, implies an intense exercise of thought, which may almost be supposed to preclude the cultivation of the arts and graces that belong to manner. Nor is it, in fact, in the communication of these original thoughts, as they first present themselves, in their native simplicity, to the mind of the discoverer, that the graces of manner can be displayed to the greatest advantage. It is chiefly in the illustration, application, and developement of the great discoveries which enlarge the sphere of science, that we recognise the peculiar province of the powerful and elegant philosophical writer. Without possessing the vigor and persevering activity of mind required for actual invention, he is able, by his somewhat limited power, to comprehend the results of a higher one, and spread them out in pleasing forms before the eye of the common observer. And it often happens that in so doing he appropriates to himself a glory, which belongs much more properly to the inventor. In fact, the praise we allow to Stewart is the same which is usually given to the greatest philosophical writers of ancient and modern times. Aristotle, Xenophon, Plato, and Cicero built up their elegant productions in a great measure out of the materials supplied by the original mind of Socrates, who himself wrote nothing. Aristotle, the most powerful and original thinker among them, is also the one who excels least as a writer. He is dry, hard, and often obscure. He evidently neglected and despised the graces of style. It is true that Cicero, with the generous prodigality of praise, which he was always ready to extend to merit in others, as well as in himself, describes the writings of the Stagyrite as *a river of*

flowing gold. But he probably intended to allude to the continued richness and solidity of the substance rather than to any supposed brilliancy or beauty of form, which they certainly do not possess. In Xenophon, Plato, and himself, the power of original thought is evidently secondary to that of language. By comparing the works of the two former, and even by mere internal evidence, we can easily perceive where Plato follows in the track of his master, and where he strikes out a new one for himself. In the former case he is natural, simple, powerful, and true; in the latter, very often feeble, visionary, and false: as, for instance, in the *Republic*, the most unnatural, incoherent, and even inhuman plan of a political society that was ever devised, and one which offers a singular contrast in every line with the good sense, sagacity, and gentleness of Socrates, the Franklin of the ancient world. Cicero never fails in this way because he makes no pretensions to the invention of an original system. He brings into view, in his charming dialogues, a group of sages and statesmen, appertaining respectively to the different prevailing sects of philosophy, and makes them detail in turn their peculiar views, always in his own graceful and splendid diction, which is in fact the river of flowing gold, that he has so incorrectly, if we suppose him to allude to style, described that of Aristotle to be;—exhibits a leaning to one side or the other, but seldom or never starts any new theories of his own. Such, in substance, although his works want the dramatic form, and are in other respects less highly colored and poetical, is the manner of Stewart. He also generally gives us, upon every important topic which he treats, an exposition, in his lucid and brilliant language, of the opinions of the principal writers; weighs the arguments in favor of their respective theories; inclines perhaps to one or the other, but generally leaves it to the reader to decide, and rarely, if ever, adds an entirely original suggestion. In giving this description of the character of his genius, it is by no means our intention to depreciate the value of his works. We have, on the contrary, expressly classed him with some of the most illustrious names in the history of learning. We have said that he breathes the same inspiration with the divine Plato, and that his academic gown was of like texture with the 'radiant robes of immortal Tully.' This is praise enough to satisfy any moderate and well-regulated ambition. Nor, although we think, as we have said, that in him and them the powers of

imagination and expression predominate over that of close and vigorous thought,—that they were, in a word, poets rather than philosophers,—do we intend to intimate that the faculty of thought was wholly wanting, or present in their minds in a very low degree. To comprehend, enter into, appropriate and refine upon the inventions of creative genius, implies an intellectual power second only to that of creative genius itself; and when this is combined with a faculty of happy and luminous expression, it forms the combination of talents which is best fitted to produce effect upon the public mind, and procure for its possessor every sort of compensation and distinction, excepting perhaps the barren laurel of remote and posthumous glory,

> —— 'that fancied life in others' breath,
> The estate that wits inherit after death.'

The distinguishing characteristics of the talent and manner of Stewart being thus, as we have described them, of a nature to give his works a great popularity, and to enable him to exercise an extensive influence upon public opinion, it is not less fortunate for the world, than creditable to himself, that they are inspired throughout by the purest and most amiable moral feelings. We are acquainted with no philosophical writings in any language which leave upon the mind a happier impression. The principles which he sets forth upon the most important points in the theory of ethics are, in our opinion, far from being in all cases true, as we shall presently have occasion to show; but the tone of sentiment is uniformly pure; and as it is this which determines the general effect of the whole upon the opinions and feelings of the mass of readers, it follows of course that this effect is uniformly good. This amiable writer has in fact breathed into all his works the kind, gentle, social, and benevolent spirit by which he was himself animated. He not only teaches us to believe in virtue, but brings the celestial vision before us in full loveliness and beauty, so as to engage our affections in her favor. He adopts and defends all the liberal and philanthropic notions that have ever been advanced by the lovers of mankind, while he avoids at the same time the excesses by which injudicious partisans have so often brought, and are still bringing, the best of causes into contempt and ridicule. He is pious without fanaticism,—cheerful and benevolent without an approach to licentiousness. He is devotedly attached to liberty without deeming it neces-

sary to renounce his respect for social order and good government. He believes in the practicability of improvement without indulging in the idle dream of an earthly millennium. It had happened by a sort of fatality that almost all the works on moral philosophy, at least in modern times, which were written in an agreeable and attractive style, had inculcated principles not only false in themselves, but completely subversive of the good order of society. Helvetius, and the other French sophists of the eighteenth century, had presented their detestable doctrines in the dress of the sweetest and most seductive language, and had introduced it by this means into the brilliant saloons of fashion and even the boudoirs of the ladies. Hume, in like manner, had disguised his still more fatal, because more subtle poison, under one of the most chaste, correct, and elegant forms, that the English language has ever assumed. Even Darwin, and the other writers of the British materialist school of *vibrations* and *vibratiuncles*, the most pitiful and contemptible, perhaps, that has yet appeared in the philosophical world, tricked themselves out in a gaudy and fantastic sort of masquerade habit, which was singularly enough mistaken at the time for something highly graceful and attractive. Paley, a dignitary of the church, had lent the charm of a lucid and pleasing exposition, as well as the authority of his calling and the cloak of religion, to a system of absolute selfishness. In the meantime, the better opinions, if advanced at all, had been maintained, in a dry and heartless manner, in treatises for the most part devoid alike of depth and elegance. Under these circumstances we regard it as a singularly fortunate thing that a writer should have appeared, who, adopting a system of intellectual and moral philosophy in the main judicious, free from danger even in its errors, and inspired by a uniformly pure, amiable, and elevated moral feeling, should have been able at the same time to interest the world and give his notions a general popularity by the beauty of his language. The works of such a writer were absolutely necessary to prepare the way for that complete reformation of the theory of moral science which is so much needed. They want, it is true, the strong originality of thought, the rigorous correctness of reasoning, the nervous precision of language, which would be required for effecting this great object, but they possess the qualities that were proper for bringing about a favorable change in the state of public sentiment on these momentous subjects. They

are like the voice of one crying in the wilderness. They prepare the way for the coming of a still greater teacher, and collect an audience previously well disposed to listen to and profit by his instructions. At the same time, by creating a general interest in favor of the science and thus leading many persons to study it with correct prepossessions, they tend to produce the reformer whose success they prepare and facilitate. Such are the great services which the writings of Stewart have rendered and are rendering to the cause of truth and virtue. They are sufficient to entitle him forever to the respect and gratitude of all good men.

We shall probably be favored at no distant period with a collection of the works of Stewart accompanied by a full biography, which will afford us a more suitable occasion for entering into a general examination of his literary and philosophical character. We shall confine ourselves chiefly at present to an analysis of the work immediately before us; but it may not be an improper introduction to the remarks we shall offer on that subject to notice very briefly the author's preceding publications.

Mr. Stewart's original intention, in coming before the world as a writer, appears to have been to publish successively complete treatises on Metaphysics, or, as he preferred to say, the Philosophy of the Mind, on Ethics and on Politics, founded probably on the courses of lectures, which, in his capacity of professor, he delivered to his pupils upon these subjects. This intention is announced in the preface to the first volume of the Elements of the Philosophy of the Mind; but seems to have been completely executed only in reference to that particular branch. The notes, which formed the text-book of the ethical course, were published as early as the year 1793, under the title of *Outlines of Moral Philosophy*, but without much developement; and the work now before us, which is another edition of the same matter in a more enlarged form, appears nevertheless to be the result of a less thorough and careful revision than that which had been given to the metaphysical course for the purpose of forming the Philosophy of the Mind. The lectures on Government have not appeared in any form, and if they come out at all, it can only be under the great disadvantages attending a posthumous publication. We regret this circumstance the more, because we think that since the appearance of the great work of Locke, standard treatises on ethics and on

politics are much more wanted in our language than one on metaphysics. A volume of *Philosophical Essays*, and the *Dissertations on the History of Moral Philosophy*, prefixed to the volumes of the Edinburgh Encyclopædia, complete the list of our author's publications. He is, therefore, one of the least voluminous, although he may perhaps be fairly regarded as, on the whole, the most eminent and valuable writer of his time. His example seems to corroborate the wholesome truth, already demonstrated by a hundred others, that a writer gains much more, even on the score of mere reputation, by maturing his works, than by hurrying constantly to press, in the vain expectation of securing the public attention by keeping his name forever in the newspapers.

The work on the Philosophy of the Mind is undoubtedly the most elaborate and finished of our author's productions—the one by which he has been hitherto best known, and which will probably contribute, more than any of, or all the rest, to his future reputation. It is much the most popular and elegant treatise on the subject in the English language, and has conveyed instruction and rational entertainment to whole classes of readers, who would never have thought of advancing beyond the first pages of Locke. When examined simply with reference to principles, and as an exposition of the theory of the science, it is doubtless far from being thorough or completely satisfactory. The Edinburgh school of Intellectual and Moral Philosophy, of which Reid was the founder, and Stewart one of the principal ornaments, arose, as is well known, about the middle of the last century, in consequence of the reaction of public opinion against the sceptical systems, which had previously obtained a temporary vogue. In a late article on Intellectual Philosophy we briefly stated the leading principles of this school, as well as those of the Transcendental, or Critical Philosophy, which grew up in Germany, under the operation of the same causes, at about the same time. The great object of the founders and partisans of both was to refute the arguments by which the sceptics, reasoning on the principles of Locke, attacked the commonly received opinions in religion and morals; and the method of defence, which they adopted, was the one that is called in the common-law forms of pleading, a confession and justification. They admitted the correctness of the reasoning of the sceptics, but undertook to show, on other grounds, that the conclusions they drew from it

could not be true. They gave up Locke to his adversaries, in the persuasion that they had found better arguments than his, in favor of the principles which he and they alike desired to support. The Scotch, by an appeal to common sense, and the Germans, by what they considered a more profound analysis of the intellect, conceived that they had given to the great and salutary truths of religion a much higher degree of certainty than they could derive from the doctrines of the Essay on the Human Understanding. We have already stated in a concise way on the occasion just alluded to, our opinion of the value of these discoveries in metaphysics, and it is not our present purpose to enter more fully into the discussion. We are for ourselves, as we then remarked, fully satisfied with those parts of the theory of Locke, which the Scotch and Germans thought it necessary to abandon; and we do not conceive that they lead to the irreligious and immoral conclusions which the sceptics drew from them. We are also of opinion that the ground taken by the partisans of the new schools was not in either case tenable; and confining ourselves for the present entirely to the Scotch, that an appeal to common sense in proof of any abstract principle, instead of serving as a foundation for a new philosophical system, is a tacit admission that philosophy is at fault. It is only saying in a rather more formal way, that although beaten in the argument, we are convinced against our will, and remain of the same opinion.

Considered as an attempt to reconstruct the whole edifice on a new and more solid basis than that of Locke, the Scotch Philosophy, including that of Stewart, must undoubtedly be regarded as a failure. The value of the writings of our author is not, however, so much affected by the essential vice in the reasoning of his master, as might have been expected. A very small portion of his works is devoted to the examination of leading principles, his main object being to explain and illustrate the operations of the several intellectual powers. The reality of these is admitted by all, however different may be their theories respecting the nature of the mind, and the origin of knowledge; nor is there much dispute about the modes of their operation, as far as this can be ascertained at all and lies within the scope of human knowledge. In treating this subject, it was therefore only necessary to state facts that were generally known, or open to an easy and familiar observation, in a perspicuous and agreeable way; and a task of this kind was

very well suited to the character of Stewart, who possessed in a high degree the talent of easy exposition and happy illustration. This work presents accordingly a distinctly-drawn and highly-colored picture of the region of intellect, adorned and diversified throughout with embellishments borrowed from the kindred domains of taste and moral philosophy. It is in fact the great charm of these productions, that they are not a mere dry developement of abstract principles, but free, flowing, learned, and elegant discourses on the facts and feelings, that make up the curious tissue of many-colored life.

Of the two volumes, the former is, we think, by far the most interesting, and we consider it in fact as the only one of his works, with the exception of the Philosophical Essays, which exhibits the author's talent in all its freshness and activity. Twenty years elapsed between the publication of the two volumes of the Philosophy of the Mind, and it is not unnatural to suppose that during this long period, and at the advanced age which he had attained before he began to publish, his faculties should have lost something of their elasticity. The trains of thought that occupy the first volume, are also those on which he most delighted to dwell, and which he was best fitted to follow out, and illustrate. After hurrying somewhat rapidly over the chapter on Perception, and the dark and deep problem of the origin of knowledge, which he hardly professes to have probed to the bottom, and in regard to which the philosophy of his school, as we have just had occasion to remark, is essentially defective and erroneous, he soon arrives in the flowery regions of Imagination and Memory, where he finds himself entirely at home, and evidently wantons in the full consciousness of the power of communicating pleasure as well as instruction. Illustrations poetical, historical, and philosophical, crowd from under his pen, and spread themselves out over his pages, with a fullness and brilliancy, that form a singular contrast to the simple conciseness of the earlier chapters. The second volume, which is wholly occupied by an examination of the faculty of *Judgment* or *Reason*, brings him back again to the colder regions of abstract elementary principles; and here, as if on purpose to heighten the natural dryness of his subject, he has drawn his illustrations principally from the still more abstract science of pure mathematics, with which he seems to be rather fond of showing his acquaintance. It was his original intention, as expressed in the preface to the first volume, to com-

press the remarks on the faculty of Judgment into a few chapters; and we rather regret that he did not complete the work on this plan. In treating this branch of the subject, the essential defects of the Scotch philosophy are necessarily brought into view, and the more it is dwelt upon, the more obvious and visible do they become. The author no longer exhibits his former facility and freedom, and seems to labor under a feeling that there is some defect in his theory, without knowing exactly what it is, or where to find a remedy for it. He moves on from chapter to chapter, and from topic to topic, with a slow and embarrassed march, without appearing to have at any time a perfectly distinct notion of the principles he wishes to establish, and of course without imparting to the mind of the reader the conviction which he does not himself feel. We miss at once the easy lightness of style, which belonged to the other volume, and the masculine firmness and vigor of thought, which should have been the characteristics of this. In the hope of giving to his theories the precision which he seems to feel that they want, he is fond—as we remarked above—of recurring to illustrations drawn from pure mathematics. He probably entertained an indistinct notion, which has served as the basis to many extensive treatises on moral philosophy, that by applying to moral truths the language and form of mathematical demonstrations, he could give them the same sort of certainty which belongs to that science. This was the theory of Wolff, Doddridge, and various other well-meaning writers. Hutcheson has undertaken to express under the form of algebraic equations, the various degrees of moral value, that belong to different actions according to the various motives and circumstances under which they are performed. The principle is obviously completely visionary in the abstract, and when applied to practice leads to incongruities that border on the ludicrous. Stewart has by no means adopted it to any thing like the same extent as the writers to whom we have just alluded; and has even noticed with just disapprobation this feature in their works. When he appeals to mathematics, it is merely for the purpose of illustration, but still, as it seems, with a persuasion that he was giving his principles a sort of mathematical certainty. The error is the same with that of Wolff and Hutcheson in a milder form. Considered as mere illustrations, mathematical forms and methods are plainly the last that should be employed to relieve the dryness of purely abstract

moral reasoning, since they can only increase the very evil they were intended to remedy. On the whole, although particular passages of the second volume may be read with great pleasure and instruction, the general impression which it leaves upon the mind is confused and incomplete. The author repeatedly refers us to his own future publications for further explanations on some of the most interesting topics that come up in the course of the inquiry; and when we lay aside the volume, we do it with a feeling that we have received a good many valuable hints, but that we must inquire more of the author himself, and of others, before we can have a settled opinion upon the subject he has undertaken to treat. In the preface to the second volume, he speaks of a third, which he intended to publish, and of which the materials were then in a great measure prepared. The principal subjects allotted to it are, as he himself states—*Language*—*Imitation*—the *Varieties of Intellectual Character*, and the *Faculties by which Men are distinguished from the Lower Animals*. This volume was to have completed the work. Of these materials none, as far as we are informed, have yet been published; but we venture to hope, that they will not be lost to the world. The subjects are of the class which Stewart was able to treat with the greatest advantage and success, and he would have had opportunity in discussing them to exhibit the same fertility of fancy and elegance of language, that distinguish his first productions. We trust that the essays in question, if at all in a finished state —as they apparently must be—will be published by the friends of the author in the collection of his posthumous writings.

The *Philosophical Essays* and the *Dissertations on the History of Philosophy*, are among the most agreeable and valuable of our author's writings. It would carry us too far from our immediate object to pretend to comment upon the various subjects, which are rapidly touched upon in these works. It is much to be regretted that Stewart did not live to complete the plan of the Dissertations. Without, perhaps, fully realising the idea of a perfect History of Philosophy, they might, in that case, have justly been considered as the most remarkable essay towards a work of this kind, to be found in any language. The learning, displayed by our author in these Dissertations and in his other writings, is extensive, and as far as it goes, uniformly thorough and exact. He is familiar in particular with classical and French literature. He attaches, we

think, rather too much importance to some continental writers of an inferior order, such as Buffier and Boscovich, who, judging from the effect of their works, can have had little or no real power, since they have made little or no impression on the feelings or opinions of the world. They were monks, who wrote in monkish Latin to beguile the tedium of the cloisters, and their fame has not yet extended, and probably never will extend much farther. The most remarkable deficiency in the erudition of Stewart is the want of an acquaintance with the language and philosophy of Germany. Germany is the country in which metaphysical and moral philosophy have been cultivated within the last half century with the greatest assiduity. The whole mass of ancient and modern learning connected with these subjects has there been explored, drawn out from its hiding-places in dusty libraries, and worm-eaten manuscripts, brought into view, examined, criticised, appreciated and employed. New systems and theories have been struck out, received with enthusiasm, controverted, established or abandoned, as the current of opinion happened to set. In short, there has been among the Germans a remarkably active movement in the cultivation of this branch of science: and if the success of their labors have not fully corresponded in the last result to the extent and vigor of their exertions, it is still highly important—we may say, absolutely necessary—for students in the same science in other parts of the world, and especially for the historian of philosophy, to know exactly the amount and value of what they have done. Mr. Stewart, from his want of acquaintance with the German language, in which almost all the works that have appeared within the period alluded to, are written, had no means of gaining information on the subject excepting from obscure and imperfect Latin translations of a few leading writers, and some other sources of a purely secondary and subsidiary class. He looks for example to Madame de Staël's *Allemagne* as an authority. The want of familiarity with the German philosophy was in his case the more to be regretted, inasmuch as that doctrine is founded substantially on the same principles with the one professed by himself, and may be viewed as another exposition of the same common creed. In Germany, however, the common creed has been expounded, illustrated, and pursued into its consequences, real or supposed, to a much greater extent than in Scotland, so that a disciple of Reid, when he

studies the philosophy of Germany, is examining his own principles, as it were through a magnifying glass, and, of course, with great advantages for rectifying his views upon every point connected with the subject. It is easy to perceive in the works of some of the contemporary French philosophers—particularly Cousin—the great advantages resulting from a diligent cultivation of German literature. But while we indicate this deficiency in the learning of Stewart, it is not our intention to impute much blame to him for it. He was already advanced in life, and involved in urgent engagements, when the philosophy of the Germans first began to attract notice in other parts of Europe. It was, probably, impossible for him, under these circumstances, to dispose of the time and labor that would have been required for a thorough investigation of the subject, and he was obliged to content himself with such imperfect notions of it as he could obtain in a different way. The result has been a distaste for, and perhaps a partially unjust appreciation of the Germans, together with a less thorough understanding of the real character of the principles of his own school, than he would probably have had if he had probed theirs to the bottom.

It is time, however, to come to the work more immediately before us. This is entitled *The Philosophy of the Active and Moral Powers of Man*, and is, of course, nothing less in purpose and design than a complete treatise on the great subject of *Ethical Science*. A standard work of this description is undoubtedly one of the principal *desiderata* in the literature of our language and of modern Europe. The work of Paley, which, for want of a better, has obtained a pretty extensive circulation both in England and in this country, though respectable in form and manner, is an exposition of an essentially false and immoral system, and of course leaves the field entirely open for another written on correct principles. Few persons could be found better fitted than Stewart by the popularity of his style, and the warmth and benevolence of his feelings, to produce a work that should arrest the public attention; and supposing it to possess the substantial qualities necessary for that purpose, should be received as the text-book of the science. We regret to say, that the one before us, though valuable and instructive when considered as an essay, does not appear to us to be of a nature to supply the deficiency to which we have alluded. It contains no new princi-

ples, nor is it sufficiently elaborate and complete to be viewed as a better statement of any theory that had been previously advanced by any other writer. The author hardly seems in fact to possess any settled ideas on the most important points in the science. In treating them, he appears to waver between different opinions, cites a variety of names and books, introduces many qualifications and conditions, and, finally, leaves it in a great measure uncertain what his own views are. The tone of feeling is so correct and amiable, and the style in general so attractive, that the work will be perused with great delight and profit by the general reader; but it will have, we think, little or no effect in fixing principles, or reforming the state of the science.

In the opening chapter of the work, the author states the distinction between the powers that belong to man on the one hand as an intellectual being, and on the other as an active and moral one; and then classes the latter, which form his immediate subject, under the two heads of *Instinctive* or *Animal* and *Rational* or *Governing* principles of action. To the former belong our *Appetites*, *Desires*, and *Affections;* to the latter, *Self-love*, and *the Moral Faculty*. The two first books are devoted respectively to the consideration of these two classes of powers or principles, under their respective sub-divisions. The *Animal* or *Instinctive* principles are treated somewhat less fully than the *Rational*—it being, as the author himself remarks, the principal object of the volume to illustrate the nature of the *Moral Faculty*. In the third book, he takes up his general subject under a new point of view, and proposes to consider our practical duties under the common division of those which have for their object respectively the Deity, our fellow-men and ourselves. In treating the first of these classes of duties, he enters on a demonstration of the existence of God, which is by far the most elaborate portion of the work, and is indeed the only one which is finished with much fulness and care. It is worthy of remark, however, that this discussion is wholly foreign to the subject on the system of Stewart, who attempts to establish the theory of morals—as we shall presently show—on grounds entirely independent of religion. This inquiry occupies the whole of the third book. In the fourth, the author treats of the duties we owe to our fellow-creatures and ourselves, and finally, in the fifth and last he enters, somewhat late in the day, as it seems to us, on the

question of the nature of *Virtue*, which he discusses in a few short chapters, or rather sentences, forming, in our opinion, by far the most unsatisfactory part of the work. The appendix contains, with one or two other less important tracts, a copious and elaborate, though not very powerful essay on the controverted question of the *Free Agency of Man*. Such is the general outline of the contents of the two volumes.

The phraseology employed by our author in the classification and arrangement of his materials, which is borrowed with variations from that of Reid, is not particularly happy. By the *Active Powers of Man*, he means the principles or elements of our nature, which determine our actions; but there seems to be a pretty obvious departure from the natural and ordinary use of words, when we call *Hunger*, for example, or *Friendship*, an *Active Power*. *Active Principles*, which the author occasionally employs as a synonymous expression, is a more correct one; but even in this there is a departure from the usual application of the epithet *active*. The arrangement of these principles into the five classes mentioned above, is admitted by our author himself to be of no great importance. 'If I had been disposed,' says he, in a note upon the first chapter, 'to examine this part of our constitution with all the minute accuracy of which it is susceptible, I should have preferred an arrangement different both from that which I have adopted, and from that proposed by Dr. Reid.' He then proceeds to give the heads of this other arrangement, by which the active principles of our nature are divided into the two classes of *Original* and *Acquired*, and the former of these again into the sub-divisions of *Animal* and *Rational*. Whether the phrase *Acquired Principles* be not inconsistent in its terms, and the thing intended by it impossible in nature, is a question, which we need not stop to discuss. The author concludes the note by remarking, that for any of the purposes, which he has in view, it is useless to attempt so comprehensive and detailed an examination of the subject as the one to which he has alluded, and that he shall confine himself to the general enumeration given in the work. It is plain, therefore, that he does not regard the latter as a perfect one. The most simple and obvious arrangement of the principles of our nature, considered as furnishing motives of conduct,—the point of view under which they are regarded in morals,—is into the two classes of *Selfish* and *Social Principles*, to which must be added,

for those who believe in the reality of a distinct and separate power or sense, by which we recognise the moral qualities of actions, the *Moral Faculty*.

The *Appetites*, *Desires*, and *Affections*, which form the subject of the first book, are treated respectively under several sub-divisions, which are not, we think, made in every instance with remarkable correctness. Thus we find classed under the second head, as separate desires, the *Desire of Power*, and the *Desire of Superiority;* which, if not identical, border too nearly on each other to be regarded as distinct principles in our original constitution. It would be superfluous, however, to examine very minutely a classification, which the author himself admits to be loose and unsatisfactory to his own mind. The chapters on the affections are beautifully written, and are filled with generous and amiable sentiments. On *Love*, the most prominent and remarkable of the number, there is, however, no distinct essay. Our fair readers will be struck with consternation at such an omission, and will naturally inquire, with the Last Minstrel in the Lay of our author's illustrious countryman,

> How could he to the dearest theme,
> That ever warmed a minstrel's dream,
> So foul, so false, so recreant prove?

Mr. Stewart would perhaps have replied, that the theme was better suited to minstrels than philosophers. He disports himself with freedom and apparent satisfaction in the cooler regions of *Friendship* and *Patriotism*. We extract the chapter on the former subject, as an agreeable specimen of his manner in this part of the work. In the few observations which he makes upon the character of the *Instinctive Principles* of our nature, considered as motives to action, he distinctly states, that he does not regard even the *Benevolent* affections as *Virtuous*. This opinion is in accordance with his general theory, which we shall examine hereafter. In the mean time, we cannot but express our wonder, that his own excellent feelings should not have secured him against an error, so repulsive in itself, and so plainly reprobated by the common sense of the world.

'Friendship, like all other benevolent affections, includes two things; an agreeable feeling, and a desire of happiness to its object.

'Besides, however, the agreeable feelings common to all the exertions of benevolence, there are some peculiar to friendship. I before took notice of the pleasure we derive from communicating our thoughts and our feelings to others; but this communication, prudence and propriety restrain us from making to strangers; and hence the satisfaction we enjoy in the society of one, to whom we can communicate every circumstance in our situation, and can trust every secret of our heart.

'There is also a wonderful pleasure arising from the sympathy of our fellow-creatures with our joys and with our sorrows, nay, even with our tastes and our humors; but, in the ordinary commerce of the world, we are often disappointed in our expectation of this enjoyment; a disappointment which is peculiarly incident to men of genius and sensibility, superior to the common, who frequently feel themselves "alone in the midst of the crowd," and reduced to the necessity of accommodating their own temper, and their own feelings, to a standard borrowed from those whom they cannot help thinking undeserving of such a sacrifice.

'It is only in the society of a friend, that this sympathy is at all times to be found; and the pleasing reflection, that we have it in our power to command so exquisite a gratification, constitutes, perhaps, the principal charm of this connexion. "What we call affection," says Mr. Smith, "is nothing but a habitual sympathy." I will not go quite so far as to adopt this proposition in all its latitude, but I perfectly agree with this profound and amiable moralist in thinking, that the experience of this sympathy is the chief foundation of friendship, and one of the principal sources of the pleasures which it yields. Nor is it at all inconsistent with this observation to remark, that, where the groundwork of two characters in point of moral worth is the same, there is sometimes a contrast in the secondary qualities of taste, of intellectual accomplishments, and even of animal spirits, which, instead of presenting obstacles to friendship, has a tendency to bind more strongly the knot of mutual attachment between the parties. Two very interesting and memorable examples of this, may be found in Cuvier's account of the friendship between Buffon and Daubenton, and in Playfair's account of the friendship between Black and Hutton.

'I do not mean here to enter into the consideration of the various topics relating to friendship, which are commonly discussed by writers on that subject. *Most* of these, indeed, I may say *all* of them, are beautifully illustrated by Cicero in the Treatise *de Amicitia*, in which he has presented us with a summary of all that was most valuable on this article of ethics in the writings of preceding philosophers; and so comprehensive is the

view of it which he has taken, that the modern authors who have treated of it, have done little more than to repeat his observations.

'One question concerning friendship much agitated in the ancient schools was, "whether this connexion can subsist in its full perfection between more than two persons?" And I believe that it was the common decision of antiquity that it *cannot*. For my own part, I can see no foundation for this limitation, and I own, it seems to me to have been suggested more by the dreams of romance, or the fables of ancient mythology, than by good sense, or an accurate knowledge of mankind. The passion of love between the sexes is indeed of an exclusive nature; and the jealousy of the one party is roused the moment a suspicion arises that the attachment of the other is in any degree divided; and by the way, this circumstance, which I think is strongly characteristical of that connexion, deserves to be added to the various other considerations which show that monogamy has a foundation in human nature. But the feelings of friendship are perfectly of a different sort. If our friend is a man of discernment, we rejoice at every new acquisition he makes, as it affords us an opportunity of adding to our own list of worthy and amiable individuals, and we eagerly concur with him in promoting the interests of those who are dear to his heart. When we, ourselves, on the other hand, have made a new discovery of worth and genius, how do we long to impart the same satisfaction to a friend, and to be instrumental in bringing together the various respectable and worthy men whom the accidents of life have thrown in our way!

'I acknowledge, at the same time, that the number of our attached and confidential friends cannot be great, otherwise our attention would be too much distracted by the multiplicity of its objects, and the views, for which this affection of the mind was probably implanted, would be frustrated by its engaging us in exertions beyond the extent of our limited abilities; and, accordingly, nature has made a provision for preventing this inconvenience, by rendering friendship the fruit only of long and intimate acquaintance. It is strengthened not only by the acquaintance, which the parties have with each other's personal qualities, but with their histories, situations, and connexions from infancy; and every particular of this sort which falls under their mutual knowledge forms to the fancy an additional relation, by which they are united. Men, who have a very wide circle of friends without much discrimination or preference, are justly suspected of being incapable of genuine friendship, and indeed are generally men of cold and selfish character, who are influenced chiefly by a cool and systematical regard to their own

comfort, and who value the social intercourse of life only as it is subservient to their accommodation and amusement.

'That the affection of friendship includes a desire of happiness to the beloved object, it is unnecessary to observe. There is, however, a certain limitation of the remark, which occurs among the maxims of La Rochefoucault, and which has been often repeated since by misanthropical moralists, "that, in the distresses of our best friends, there is always something, which does not displease us." It may be proper to consider in what sense this is to be understood, and how far it has a foundation in truth. It is expressed in somewhat equivocal terms; and I suspect, owes much of its plausibility to this very circumstance.

'From the triumphant air with which the maxim in question has been generally quoted by the calumniators of human nature, it has evidently been supposed by them to imply, that the misfortunes of our best friends give us more pleasure than pain. But this La Rochefoucault has not said, nor indeed could a proposition so obviously false and extravagant have escaped the pen of so acute a writer. What La Rochefoucault has said, amounts only to this, that, in the distresses of our best friends, the pain we feel is not altogether unmixed;—a proposition unquestionably true, whenever we have an opportunity of soothing their sorrows by the consolations of sympathy, or of evincing, by more substantial services, the sincerity and strength of our attachment. But the pleasure we experience in such cases, so far from indicating any thing selfish or malevolent in the heart, originates in principles of a directly opposite description, and will be always most pure and exquisite in the most disinterested and generous characters. The maxim, indeed, when thus interpreted, is not less true when applied to our own distresses than to those of our friends. In the bitterest cup that may fall to the lot of either there are always mingled some cordial drops,—in the misfortunes of others, the consolation of *administering* relief,—in our own, that of *receiving* it from the sympathy of those we love.

'Whether La Rochefoucault, in the satirical humor, which dictated the greater part of his maxims, did not wish, in the present instance, to convey by his words a little more than *meets the ear*, I do not presume to determine.'

The *Rational* or *Governing Principles* of our nature, which form the subject of the second book, are, in the system of Mr. Stewart, *Self-love* and the *Moral Faculty*. The former is despatched somewhat hastily in a single chapter, while the latter is treated more at large in the rest of the book. In considering the nature of *Self-love*, Mr. Stewart distinguishes it

from the instinctive principles, which have for their object the gratification of the senses, and describes it as a rational principle, which looks to the general well-being or happiness of the individual. The name *Self-love*, which has been given to this principle, is, as Mr. Stewart justly remarks, 'exceptionable, because it suggests an analogy, where there is none in fact, between that regard, which every rational being must necessarily have for his own happiness, and those benevolent affections which attach us to our fellow creatures.' *Love* is in fact an essentially *social* feeling, and the phrase *Self-love* is of course contradictory in terms. This is, however, a mere question of words. It is of more importance to remark, that the reality of any such distinct principle, as the author here designates under the name of *Self-love*, is perhaps extremely doubtful. It is, as he explains it, a *desire of happiness*. Now happiness is the state of general well-being, which results from the healthy exercise of all our natural powers and faculties. But we are led to the exercise of these powers and faculties by a variety of principles, some selfish and some social; all of which have for their immediate object, not the general result, happiness—but the attainment of some particular good, either for ourselves or others. Experience teaches us that our own happiness is promoted by seeking that of others; but we also find that this effect is not produced unless we seek the good of others from benevolent feeling, and without reference to any selfish motive. This fact is remarked by Mr. Stewart himself.

'The man,' says he, 'who is most successful in the pursuit of happiness is not he who proposes it to himself as the great object of his pursuit. To do so, and to be continually occupied with schemes on the subject, would fill the mind with anxious conjectures about futurity, and with perplexing calculations of the various chances of good and evil; whereas the man, whose ruling principle of action is a sense of duty, conducts himself in the business of life with boldness, consistency, and dignity, and finds himself rewarded with that happiness, which so often eludes the pursuit of those who exert every faculty of the mind in order to attain it.'

If then we had within us an instinctive desire of happiness, which is, as we have seen, an indirect result of the exercise of our social as well as selfish feelings, this desire would defeat its own purpose; since, as far as we acted in obedience to it,

we should deprive ourselves of the principal element of happiness, which consists in the exercise of disinterested benevolence. The supposition of a natural desire of happiness is, therefore, the supposition of a desire prompting to us a line of conduct, which prevents the attainment of the object by which this desire is to be gratified, and is obviously absurd. Happiness, instead of being, as the poet describes it, the 'end and aim of our existence,' is the indirect result of a conduct directed by higher views, and pursued without reference, and often in apparent or temporary opposition to our own immediate interest. All the active principles of our nature, when properly directed, concur in producing it; and these, as we have remarked, may be classed under the two heads of *selfish* and *social principles;* but if it were necessary to decide which of these tend most effectually in their exercise to promote happiness, the preference should undoubtedly be given to those of the latter class. The gratification of those desires, which end in self, is attended with temporary pleasure, but as respects our general and permanent well-being its effect is almost wholly negative. This depends in a great measure, if not entirely, on the exercise of social and benevolent affections—youthful love—conjugal, parental, and filial tenderness—charity, friendship, patriotism, and the expansive philanthropy that embraces the fortunes of the whole human race. The merely selfish pleasures are brief and transitory, followed by disgust, and accompanied by a secret shame: but these noble and amiable sentiments fill the soul with conscious satisfaction, and diffuse a cheerful and sunny light over the course of our existence.

Of the two *Rational* and *Governing* principles supposed by our author, the reality of the former, which he calls *Self-love*, is therefore extremely questionable. The other which he denominates the *Moral Faculty*, is treated at much greater length, and is evidently regarded as of far more importance. Mr. Stewart indeed, expressly states—as we have already remarked—that it is the principal object of the work to explain and illustrate the nature of this faculty. We propose to examine with some attention the view which he has taken of the subject, and shall perhaps in the sequel find reason to question the reality of this, as well as of the other principle, if considered as a distinct and independent part of our nature, and to conclude that the *Moral Faculty*, as far as it has any actual existence, is little more than another name for the same social and benevo-

lent affections, which we have just described as the chief sources of happiness, and which we also believe to be the most important elements of virtue.

In treating this part of his subject, Mr. Stewart observes the following method. He first examines and refutes the selfish system, which denies the reality of moral distinctions, and represents self-love as the only principle of action. In opposition to this theory, he establishes the doctrine that we have within us a principle or faculty of some kind, which distinguishes actions, without any reference to their operation upon ourselves, accordingly as they possess or want certain qualities, which we call *Moral*. What then is the nature of this principle, and of the quality in actions which corresponds with it, and brings it into exercise? After examining successively the opinions which refer the perception of moral qualities to the understanding, and to a distinct power called a *Moral Sense*, Mr. Stewart concludes that both these theories are true, and that we recognize moral distinctions at the same time by the understanding and the heart. On this supposition, it would appear more natural to speak of our *Moral Faculties*, than to use the term, as our author constantly does, in the singular number. What then is the nature of this distinction? or in other words, what is the precise meaning conveyed by the expressions *Right* and *Wrong?* Of this, says Mr. Stewart, we can give no account. The ideas we attach to these terms are simple and wholly unsusceptible of definition or explanation. We can only say of them, that the qualities they respectively indicate are approved and disapproved by our moral faculties. Lastly, what is the source of the obligation which we suppose ourselves to be under, to do what is right and abstain from what is wrong? In answering this question, our author rejects in succession the theories, which place the foundation of moral obligation in the will of God, and in the utility of virtue; and concludes in the end that it is absurd to ask the question, why we are bound to do right, since the idea of obligation is implied in that of virtue; that is, according to his definition, in the idea of an action, which is the subject of the approbation of conscience. Such is a brief sketch of the leading points of the theory of Mr. Stewart on this important topic. We proceed to offer some remarks upon each of its principal divisions.

I. That pleasure is the only good, the attainment of pleasure the only natural motive to action, and the tendency to give

pleasure the only distinguishing characteristic of the actions we call *virtuous*, are the leading principles of a creed in philosophy, which in all ages and nations has been practised upon to a very considerable extent by a portion of society, and has been at times professed as a theory, and received with a pretty general favor. These principles formed the basis of the system of Epicurus, which in the decline of the Roman Empire became the dominant opinion throughout the civilized world. The doctrine was revived in France by Gassendi, about two hundred years ago, and gaining ground very rapidly, became in the following century the prevalent belief of the higher classes in that country, from which it spread itself over the other parts of Europe until it assumed once more the imposing shape of the dominant opinion of the age. Its practical results were soon exhibited in the tremendous political revolutions which convulsed the world at the close of the eighteenth century. A vigorous offset from this tree of poison was planted in England, and for a time shot up and flourished with a good deal of luxuriance. The doctrine acquired indeed at that time and maintains up to the present day, a pretty strong hold on the public sentiment of the mother country, and is perhaps at this moment under some of its different modifications, the one most generally received by inquiring and thinking men. Whatever may be its merits or defects it has obviously no pretensions to novelty; and it is therefore not a little singular that it should have been announced in our own day, with great pomp and circumstance as a *new discovery*. The *Utilitarian* system is plainly nothing more than a new proclamation, with perhaps some slight variations in form, of the old Epicurean philosophy, which was always popular in England; which had been professed with a kind of fanaticism, and pushed to extravagance in France within half a century preceding; and which had been familiarly known for at least two thousand years, as one of the two leading opinions that had always divided the philosophic world. Mr. Bentham does not seem to be aware of any of these facts, and on the strength of having republished this ancient and venerable heresy under the barbarous title of the GREATEST HAPPINESS PRINCIPLE, very honestly believes himself to be the Newton of *Moral Science*. It is really a singular thing, that at a time when Paley was still in all the freshness of his popularity, any person of sound mind—we have, it is true, some doubts whether the Philosopher of

Queen Square can be fairly ranked in that category—should think of promulgating the *Utilitarian* theory as a brilliant novelty, and should even obtain followers enough to give him the appearance of being the founder of a school.

The leading argument in favor of this system, results from the fact that virtue is on the whole productive of pleasure and advantage to the individual. Self-interest, therefore, should naturally lead to the practice of it, and this motive being sufficient to account for the effect, it is unphilosophical to suppose the existence of any other. Hence utility or the tendency to give pleasure is the essence of virtue, and self-interest, that is, the love of pleasure, the only principle of action.

The objection to the system lies in the not less certain facts that we estimate the moral value of actions not according to their results, but according to the motives of the agents, that we are conscious of acting in many cases upon motives entirely foreign to any regard to our own pleasure or interest, and that actions which we should under other circumstances pronounce to be virtuous, lose their character and cease to be so, if we find that they were performed from selfish motives. Thus if I relieve a mendicant in the street, from a sentiment of charity, the action is virtuous; but if I do it in such a way as to be 'seen of men,' and for that purpose, it is not only not virtuous, but actually vicious. On the *Utilitarian* scheme, the action ought in the latter case to be still more virtuous, than in the former, because it produces the same generally useful effects as before, with the additional advantage of promoting to a still greater extent the personal interest of the agent. Utility then, although it may be the result, is not the principle of virtue; and self-interest, although in many cases a justifiable and virtuous motive of action, is by no means the only one.

These facts are not denied by the partisans of the selfish system, and the awkwardness of their attempts to account for them consistently with it, is a strong subsidiary argument against its truth. The feebleness of their reasoning on this head is particularly apparent in the case of Paley, one of the most intelligent, zealous, and popular professors of the system. Paley was a person of great directness and sincerity, conscious of the general purity of his intentions, and of a real respect for religion and morality. With this confidence in the uprightness of his own views, he felt no scruple about following his theories wherever they carried him. The only wonder is,

that his conclusions should not have had upon his own sound and clear understanding the effect, which they must have, we think, upon that of every intelligent reader, of a *reductio ad absurdum* of his leading principles, and brought him back to a different system. The statement to which we allude, and which is quoted by Mr. Stewart in the work before us, is as follows:

'There is always understood to be a difference between an *act of prudence* and an *act of duty*. Thus, if I distrusted a man who owed me a sum of money, I should reckon it an act of prudence to get another person bound with him, but I should hardly call it an act of duty. On the other hand, it would be thought a very unusual and loose kind of language to say, that as I had made such a promise, it was prudent to perform it; or that, as my friend when he went abroad, had placed a box of jewels in my hands, it was prudent in me to preserve it for him till he returned.

'Now in what, you will ask, does the difference consist, inasmuch as according to our account of the matter, both in the one case and in the other—in acts of duty as well as acts of prudence—we consider solely what we ourselves shall gain or lose by the act?

'The difference, and the only difference is, that in the one case we consider what we shall gain or lose in the present world, while in the other case, we consider also what we shall gain or lose in the world to come.'

This is indeed, as Mr. Stewart justly remarks, a *curious passage*. It requires all the respect that we really feel for Paley, to induce us to believe that he was in earnest in writing it. It is of course unnecessary to refute such reasoning in a formal way, and it is almost superfluous to remark that an action is equally the result of calculation—that is, equally performed from selfish views—whether the advantages expected from it are to be enjoyed at one period or another. On this supposition, therefore, our actions would be all acts of prudence, so that the theory—besides being obviously inconsistent with experience—involves a denial of the very *difference* which it admits, and professes to account for.

A more popular, although not more plausible explanation of the problem, which Paley has here so unsuccessfully attempted to solve, is to be found in the theories of some other partizans of the selfish system, who undertake to account for our social feelings, the reality of which they also admit, by the effect

of the *association* of ideas. The exercise of these feelings is attended with a sentiment of pleasure, and the actions which we perform under their influence, generally tend in the last result, to the promotion of our own advantage. Having learned these facts from experience, we gradually come to *associate* with the performance of such actions, the idea of the advantage which we shall ourselves derive from them; and although their immediate and apparent object be the welfare of others, we really perform them from selfish motives as truly as if our own profit or pleasure were directly concerned.

This theory is countenanced by Paley in other passages of his work. It is also the one adopted by the school of Bentham, and is developed at length in the late work of Mill on the *Philosophy of the Mind*. Like the one we have just been considering, it admits the reality of our social feelings, and like that, fails entirely in the attempts to account for them consistently with the truth of the selfish system. On this system, self-interest is the only natural motive to action, but we are nevertheless conscious of feelings which prompt us to seek the good of others. How then did we obtain these feelings, which are, it seems, originally no part of our constitution? We obtain them, says the *Utilitarian*, by the effect of association. Now it is easy to conceive, that habit and association may in some degree vary the direction or application of any natural sentiment or power; but it is quite clear that they cannot create a sentiment or power which we do not naturally possess. Habit may enable a man, for example, to employ his arms for the purpose of walking, and to go on all fours with some degree of facility. By long practice, he may qualify himself to dance upon a tight rope, or to tread the ceiling of a room with his head downwards, like a fly. But will habit give him an additional arm, or leg, or even finger? Will it so much as add another to the hairs of his head, which, as we are told in scripture, are all numbered? Will any variation in the usual motions and postures of his limbs enable him to wing his way through the air like a bird, or to inhabit the depths of the sea like a fish? These questions will hardly be answered by any reasonable person in the affirmative, and the attempt to account for our social feelings on the principle of association, involves absurdities of a precisely similar description. The social and selfish feelings are as completely distinct from each other as any two of our outward senses or

internal faculties; and the supposition, that the existence of either is the result of an accidental modification of the natural action of the other, is just as philosophical and probable as it would be to suppose that hearing is a modification of touch, or sight the effect of an accidental variation in the direction of the sense of smell. In short, we cannot in any case attribute the slightest influence to the principle of association, without admitting, in the first place, the reality of the power of which the action is supposed to be augmented or modified by it; that is, in the present instance, the reality of our social feelings, and with it the falsehood of the selfish theory.

If the case were not too clear to require much argument, it might be added, that the early period of life at which our moral sentiments display themselves, is a sufficient proof that they are not the result of habit or experience. This fact is noticed by Paley, and he endeavors to account for it in regard to such of them as he cannot conveniently resolve into self-interest on the principle of *imitation*.

'There is nothing,' says he, 'which children imitate or apply more readily than expressions of affection or aversion; of approbation, hatred, resentment, and the like; and when once these passions and expressions are connected—which they will soon be by the same association which unites words with their ideas—the passion will follow the expression, and attach upon the object to which the child has been accustomed to apply the epithet. In a word, when almost every thing else is learned by *imitation*, can we wonder to find the same cause concerned in the generation of our moral sentiments?'

It seems, therefore, that each succeeding generation of men acquires its moral sentiments by imitating the actions of the preceding one. By the help of this theory we can go back with great facility to the first generation or the first pair. But how did they, who had no one to imitate, acquire their moral sentiments? Here the theory is plainly at fault. It is the old fable of the Indian Astronomer, who maintained that the earth reposed on the back of a large elephant, and the elephant on the shell of a gigantic tortoise. But what supports the tortoise? was naturally the next question. 'Oh!' replied the Hindu, 'that I do not know.'

It is truly painful and pitiful to see writers of instruction, intelligence, and apparently correct intentions, contenting themselves with sophistry of the grossest and most palpable kind

for no better reason than because it affords them a pretext for denying the reality of the best and noblest qualities of our nature; of those qualities, without which—as Bacon justly and strikingly remarks—man is but a busy and wretched creature, no better than the vermin. If such were in fact our miserable and degraded condition, it would be natural and commendable to give way to any illusions which had a tendency to elevate our notions of the human character and destiny. I would rather, said the noble-minded Tully, be in the wrong with Plato than in the right with Epicurus. This sentiment will find a response in every generous heart. But admit for argument's sake, that it is more generous than philosophical; admit that we are bound as honest and fearless inquirers to follow truth wherever it may lead us, were it even

> Through bogs, fens, lakes, seas, rocks, and shoals of death,
> A universe of death——

admit, as Bonaparte said of his colonies, that our hopes and happiness must be sacrificed rather than a principle; we may still pertinently ask, why we should exert a perverse ingenuity, deny or torture facts, falsify consciousness, and put up with the flimsiest appearance of argument for the strange purpose of reducing ourselves to the level of the brutes. We may conceive that an individual, beset with strong temptation and abandoned by Providence, shall commit an act of forgery, which, if undiscovered, will convey to him a large amount of wealth. But who in his senses would forge a draft upon himself, the payment of which must bring him with all his friends and family to bankruptcy and ruin? This example is, nevertheless, a correct illustration of the conduct of the writers who maintain these degrading theories. If it were possible to give the system a coloring of probability, the actions of its supporters would undoubtedly be much more efficient for the purpose than their arguments.

In the above remarks, we have followed in the main the course of Mr. Stewart, who fully recognises the reality of moral distinctions, and establishes it in opposition to the partisans of the selfish system, upon the steadfast and immovable basis of CONSCIENCE, that is, a principle within us which approves and disapproves of actions according to their moral qualities, and often without any reference to their effect upon our own interest. His views are therefore substantially, and in

their leading features correct; and the work that exhibits them, although not free from considerable errors, may be perused without danger, and must tend, on the whole, to strengthen the great cause of religion and virtue. After affirming and establishing the reality of *Conscience*, or the *Moral Faculty*, the author proceeds, in the farther development of his theory, to inquire into the nature of this principle, and of the quality in actions which corresponds with it and brings it into exercise. We shall briefly examine his opinions on these heads, which, though ingenious and ably supported, do not appear to us to be so entirely free from question, as those which we have just been examining. The extreme importance of the subject will, we hope, be received by our readers as an apology for what might otherwise appear a rather long discussion.

II. Supposing then the reality of *Conscience*, or a principle within us by which we recognise the moral qualities of actions, the question next presents itself—what is the nature of this principle or faculty? Is it the Understanding in the exercise of its ordinary powers, or the same Understanding in the exercise of some extraordinary power with which it is furnished by nature for this particular object? If not the Understanding, is it a feeling? and if so, is it one or more of our acknowledged affections, considered under a new point of view, or is it a distinct and separate sentiment, appropriated exclusively to this function, and having some analogy with our external senses?

These inquiries were not much agitated in the ancient schools, and have chiefly grown up since the revival of philosophy in modern Europe. They were treated for the first time with remarkable power and learning by Cudworth, in his works on *Immutable Morality* and the *Intellectual System*. Hobbes had asserted, that in the natural state of man—by which he meant a state anterior to the existence of government—there could be no such thing as moral distinctions, that these were wholly a matter of positive institution, and that there was no other reason for saying that it is right to pay a debt, or wrong to commit a murder, excepting that these actions are respectively conformable or opposed to the law of the land. These principles—monstrous as they appear, and in fact are—are necessarily implied in the selfish or *Utilitarian* theory under all its forms. It is obvious, that no man is bound to promote his own pleasure or interest, considered as such, any further than it may suit his own convenience so to do.

Hence, if utility be the essence of virtue, and pleasure the only motive to action, there is in fact no obligation to do right, excepting such as results from the forms of positive law. The system, maintained under one of its worst aspects by a writer of extraordinary power and plausibility, excited of course a good deal of sensation. Cudworth, in refuting it, undertook to establish the principle, that moral distinctions are founded not in positive enactments, but in an original and immutable law of nature. This law in his theory is of so transcendant a character, that it is not only independent of social institutions but superior to the will and power of God himself. It seems to be, in his view of it, a sort of sublime and mysterious principle, resembling the FATE of the Grecian mythology, which controlled and over-mastered every thing else in the universe, even to the Father of the Gods himself. This extravagant idea, to which we shall presently give some attention, is adopted by Stewart. The principle by which we acquire our knowledge of moral distinctions is, according to Cudworth, the same by which we perceive truth, that is, the Understanding, to which he attributed the power of furnishing us with abstract notions entirely independent of any particular ones received through the senses. Of the nature of moral distinctions we can give no account. Our ideas of right and wrong are simple and undefinable. Every one knows what he means by these terms, but nobody can furnish any explanation of his meaning. This paradoxical notion is also admitted by Stewart, who is evidently a great admirer—on this subject we may say perhaps a disciple—of the learned, able, and high-minded, but not remarkably precise and clear-headed author of the *Intellectual System.*

The obvious correctness and salutary tendency of the principles of Cudworth, as far as they tended to place the foundation of morals above the sphere of positive law, together with the high degree of ability and learning displayed in his works, recommended them strongly to the public favor, and they were generally received by competent judges as a complete refutation of the doctrine of Hobbes, until the appearance of the Essay of Locke on the Human Understanding. The theory on the origin of ideas, which is maintained in that work, and which for a long time superseded every other in the public opinion, amounted to an indirect refutation of that of Cudworth upon the nature of moral distinctions. Cudworth

held, as we have stated, that our notions of right and wrong, although abstract, were supplied directly by the Understanding, while it was the opinion of Locke, that the Understanding furnishes no ideas whatever of that description, and that all our abstract notions were only generalisations of particular ones, obtained by the senses, or by an internal observation of the operations of our own minds. For those who are satisfied with the reasoning of Locke on this subject—and we profess to be of that number—the theory of Cudworth as to the manner in which we acquire our knowledge of moral distinctions falls of itself. When, however, the alarming, and, as we conceive, unjustifiable deductions, which the sceptics of France and England drew from the principles of Locke, had created a re-action in the public mind, the modern schools of philosophy, which, as we have already remarked, grew up under the operation of it in Scotland and Germany, reverted on this head to the old opinion, and affirmed that the mind possesses the power of generating, or furnishing from its own resources, abstract ideas, wholly independent of any obtained through the senses. To this class belong, in their opinion, our notions of moral distinctions. Kant accordingly lays down the principle with perfect precision and dogmatical confidence. Stewart apparently wavers a little, but comes, on the whole, to the same conclusion. In some passages he expressly classes our notions of right and wrong with those of cause and effect, number, equality, and identity, which he regards as immediate products of the Understanding, acting independently of sensation or reflection. In others he asserts, 'that the origin of our ideas of right and wrong is manifestly the same with that of the other simple ideas already mentioned; but that whether it be referred to the understanding or not, seems to be a matter of mere arrangement, provided it be granted, that the words right and wrong express qualities of actions, and not merely a power, of exciting agreeable or disagreeable emotions in our minds.' The extreme looseness and inaccuracy of this language in a writer generally so correct as Stewart is somewhat remarkable. The power of exciting agreeable or disagreeable emotions in the mind is obviously as much a quality, as that of creating perceptions in the Understanding, so that the words *Right* and *Wrong* when used in either sense, express equally qualities of actions. The question, whether we ought to refer the perception of them to the Understanding or the

heart, may be comparatively unimportant, but is, nevertheless, the one under consideration in this part of the work, and is obviously not answered by saying that it is a *matter of arrangement*. Mr. Stewart proceeds to remark, that the difference of opinion may, perhaps, be accounted for by the difference in the meanings which different writers attach to the term *Understanding*,—some regarding it as comprehending all our intellectual powers, and others confining it to that of argumentation and deduction. But here again his view of the subject is obviously an incorrect one. Whatever meaning we may attach to the term *Understanding*, it is equally impossible, on the theory of Locke, that this faculty can supply us with abstract ideas, and the difference between the usages of different writers in this respect, has, therefore, no effect whatever on the decision of the question at issue. It is plain, on the whole, that our author had not completely matured his opinions upon this part of the subject, but that he ranked himself among the followers of Cudworth, and professed to believe, that we obtain our notions of right and wrong immediately and directly by an original exercise of our intellectual power, entirely independent of any operation of the senses.

The incorrectness of this opinion is, as we remarked above, a necessary corollary from the theory of Locke, who has in fact employed a portion of his work in proving that we have no *Innate* or original *Moral Principles*, by which he means general ideas on the subject of moral distinctions. The plan of his Essay did not lead him to discuss, in great detail, the question how we acquire our ideas of these distinctions, and his doctrine was understood by some persons, particularly Lord Shaftesbury, as involving a denial of their reality, which it by no means does. It was perceived, however, by all to involve consequences affecting the probability of the previously prevailing opinions, and of course gave rise to new researches into the subject. One of the results of these was the theory of a *Moral Sense*, which was brought forward in a very plausible shape by Hutcheson in the early part of the last century. According to this writer, *Conscience*, or the internal principle by which we take cognisance of moral distinctions, is not the Understanding, but a distinct faculty, analogous to our external senses. The impressions we receive through the medium of this faculty are not perceptions, but emotions; and the intel-

lectual powers have no concern whatever in the regulation of our own conduct, or the formation of our opinions upon that of others. This system, although, as must be obvious to the reader, it will hardly bear the test even of a distinct and naked statement of its leading principle, obtained, nevertheless, by virtue, probably, in part, of its apparently excellent practical tendency, great favor in England, and has been ever since its publication pretty generally adopted by those who are not partisans of the *Utilitarian* school. Mr. Stewart himself admits it so far as to allow that our perceptions of right and wrong are accompanied respectively by agreeable or disagreeable emotions.

'It appears to me,' says he, 'that the diversity of these systems has arisen in a great measure from the partial views, which different writers have taken of the same complicated subject; that these systems are by no means so exclusive of each other as has commonly been imagined, and that, in order to arrive at the truth, it is necessary for us, instead of attaching ourselves to any one, to avail ourselves of the lights that all have furnished. Our moral perceptions and emotions are in fact the result of different principles combined together. They involve a judgment of the understanding, and they involve also a feeling of the heart: and it is only by attending to both that we can form a just notion of our moral constitution. In confirmation of this remark it will be necessary for us to analyse particularly the state of our minds when we are spectators of any good or bad action performed by another person, or when we reflect on the actions performed by ourselves. On such occasions we are conscious of three different things.

'1. The perception of an action as right or wrong.

'2. The emotion of pleasure or pain varying in its degree according to the acuteness of our moral sensibility.

'3. A perception of the merit or demerit of the agent.'

On the theory of Hutcheson there is no such thing as a *Perception* of right and wrong, or merit and demerit, in the cognisance we take of moral distinctions, and the *Internal Sense*, by which we experience an agreeable or disagreeable emotion, is the only faculty brought into exercise on the occasion. This entire exclusion of the Understanding from any agency in the formation of our ideas on this subject is of itself, as we intimated above, a sufficient, though indirect objection to the theory. It is also liable to another of a more direct and peremptory kind. If we possessed a distinct internal sense through which we experienced agreeable or disagree-

able emotions, according to the moral qualities of the actions under consideration, these emotions being excited by the same quality, however they might differ in degree, must always be of the same kind. We are certain, for example, that piety and prudence are duties as well as charity; and on this supposition the emotions excited in our minds by the performance of these several classes of duties would be exactly the same. As the impressions made upon the mind through the sense of hearing must necessarily all belong to the class of sounds, and through the sight to that of colors, so the impressions made through the moral sense, if we have one, though differing in intensity, must all be of a uniform character. Now it is generally conceded—and this, as we have already had occasion to state, is the principal argument against the selfish system—that the emotions excited by the performance of the different classes of duties are essentially various, not only in degree but in kind. We are all conscious that the feelings with which we contemplate an act of prudence, an act of charity, and an act of piety, are not the same. In the first instance, we experience a sentiment of quiet approbation; in the second, a glowing and delightful sympathy; in the last, a reverential awe. It is obvious that the theory, which attributes all these results to operations of one and the same sense, must be erroneous. We find accordingly that Hutcheson, in order to reconcile his system with fact, is obliged to deny the character of virtue to all actions excepting those which proceed from benevolent feeling. With him temperance, prudence, and piety are matters of indifference, and there is nothing worthy of moral approbation but charity. This error, though more agreeable, is not less evident than that of the partisans of the selfish system. Like them, in accounting for our moral sentiments, he throws out of view all but one of the three great classes of which they are composed. No system is, of course, admissible, which does not furnish a complete and equally satisfactory explanation of them all.

It appears, therefore, that the two opinions, which have prevailed most generally in modern times, among those persons, who admit the reality of moral distinctions, as to the nature of the faculty by which we acquire our knowledge of them, both of which are received in connexion by Stewart, although they have been before supposed to exclude each other, are both erroneous statements of the real facts in the case. The truth seems

to be, that reason and feeling are both concerned in the cognisance we take of moral distinctions, not, however, by the exercise of any specific faculty belonging to either of these departments of our nature, but in the usual discharge of their regular and ordinary functions. The agreeable emotions connected with the performance of acts of duty are not the product of a separate moral sense, but comprehend all the different kinds of satisfaction which we derive respectively from the exercise of the selfish, social, and religious principles of our nature. These principles or inclinations lead us directly to the performance of the several sorts of actions, which correspond with them, not as acts of duty, but as acts in which we take a natural delight. When the Understanding comes to consider and classify these acts it recognises them as results of the relations which naturally connect us with God, our fellow-men, and the objects around us. These relations taken together compose what is called the *Law of Nature*, and our actions, when viewed as conformable to these relations, are described as *acts of duty*, performed in obedience to the *Law of Nature*, that is, in other words, to the *Will of God*.

III. The characteristic of Virtue, is, therefore, obedience to the Law of Nature, that is, the will of God; the distinction between *Right* and *Wrong* lies in conformity or nonconformity to this great rule. This, however, is not the theory of Stewart and Cudworth, who both affirm, that the nature of this distinction is wholly inexplicable. We all, according to them, know perfectly well what we mean by the terms *Right* and *Wrong*, but are nevertheless incapable of giving any explanation of them. Our notions of right and wrong are incapable of analysis. They are simple ideas or notions, of which the names do not admit of definition. 'We can define the words *Right* and *Wrong* only by synonymous words or phrases, or by the properties and necessary concomitants of what they denote. Thus we may say of the word *right*, that it expresses what we *ought to do*, what is *fair* and *honest*, what is *approvable*, what *every man professes to be the rule of his conduct*, what *all men praise*, and what is in itself *laudable*, *though no man praise it*. In such definitions and explanations, it is evident that we only substitute a synonymous expression instead of the word defined, or we characterise the quality, which the word denotes by some circumstance, connected with it or resulting from it, as a consequence; and, therefore, we may with con-

fidence conclude, that the word in question expresses a simple idea.' 'The various duties which have been considered, all agree with each other in one common quality, that of being *obligatory* on rational and voluntary agents, and they are all enjoined by the same authority—the *authority of conscience.* These duties, therefore, are but different articles of *one law*, which is properly expressed by the word *virtue.*'

Thus, in the opinion of our author, we know nothing of the nature of the qualities of actions which we call *right*, or, in a word, of the nature of *virtue*, excepting that it is the subject of the approbation of the internal principle which we call *conscience.*

The modes of expression, employed by our author on this subject, are repugnant, we think, to the common sense and feeling of mankind. It is no doubt true, that in general, when we speak of the moral qualities of actions, we mean nothing more than that they awaken within us certain feelings of approbation or disapprobation, which, in the theory of our author, are the results of the action of certain specific faculties, but which we regard as the exercise of our ordinary natural sentiments and affections. These were given us by Providence, as guides to regulate our conduct, and with the mass of mankind, who have but little capacity for abstract reasoning, they are the only natural ones. But when we mean to employ a strict and scientific language, it appears extremely singular, to say that the Understanding has no share in the formation of our notions of moral qualities; and to maintain with Stewart and Cudworth, that the *Understanding* supplies us with ideas which we do not *understand*, is, in our judgment, nothing less than a contradiction in terms. We have stated above, that on our view of the subject the terms *Right* and *Wrong* are susceptible of a very simple, distinct, and satisfactory explanation, and that the essential characteristic of *Virtue*, is *Conformity to the Law of Nature*, or—which is the same thing in other words—*Obedience to the Will of God.* This account of the matter appears at first view diametrically opposite to that of Stewart, but on further reflection, the difference will be found to be rather apparent than real. The error, and it is no doubt by far the most common one in all inquiries of this description, does not consist so much in misapprehending the facts as in giving an incorrect statement of them. It is no doubt true, that in the first instance we know nothing further of moral qualities excepting that certain par-

ticular actions awaken in us respectively certain feelings of approbation and disapprobation. Thus far the whole is a matter of feeling. But when the understanding comes to classify and generalise the particular facts, it ascertains, as we remarked above, that they are results of certain relations, established by nature between us and the other component parts of the universal system, to which we give the name of laws, and which we refer to the will of the Creator, who determined the character of every object, and, of course, the relations that exist between them all. Having reached this point, we can give a distinct, intelligible, and rational account of our notions of right and wrong, which were, in the first instance, a mere matter of fact and feeling. This account is not inconsistent with the facts supposed by Stewart, and is at variance with his chiefly in proceeding one or two steps further than he did in the course of reasoning upon which he had entered, and completing a defective part of his theory. He confined his attention to particular actions, and the impressions they make upon us, without appearing to recollect that by classifying these actions in connexion with the motives that led to them, we obtain a general and intelligible notion of moral qualities, or in other words, of the characteristics of virtue. The notion we thus obtain, furnishes an easy explanation of the terms that are habitually used in reference to the subject. By a right action we mean, according to the etymological interpretation, as well as popular and correct understanding of the word, using it in reference to the existing institutions of society, an action conformable to the relations established by these institutions among the different members of the body politic—conformable, in a word, to the law of the land. Hence when we speak of actions, as conformable to the relations established previously to any human institutions by the Supreme Ruler of the universe, which are the prototype and basis of all positive law, it is perfectly natural to employ the same term *Right* in the new and enlarged sense of obedience to the law of nature, that is, the will of its divine author.

The essential ingredient in the notion of *Right* and *Wrong*—the essential characteristic of virtue is, therefore, *conformity to the law of nature*, or, in other words, *obedience to the law of God*. This Law of Nature is, of course, as such, anterior to any human institution, and independent of the will of any human sovereign. But is it also prior in the order of events

to the creation of the universe, and independent of the will of God himself? These questions are answered in the affirmative by Stewart and Cudworth, who appear, as we stated above, to have borrowed from the ancient Greek Mythology, the notion of that strange and mysterious power, which the poets called DESTINY, and which overruled alike the will of Gods and Men. Such at least is the construction which may naturally enough be put on their doctrines. It may not be impossible, as we shall presently see, to reconcile this language with the truth of the case, but we must, at all events, consider it as involving many extravagant and hazardous forms of expression, and as fitted to encourage degrading and inadequate ideas of the Divine nature. As this speculation is of a very high and curious character, it may not be disagreeable to our readers to peruse a few of the passages relating to it in the works of the writers alluded to, to which we shall annex some brief remarks of our own.

'Whatsoever,' says Cudworth, '*was the true meaning* of those philosophers, that affirm justice and injustice to be only by law, and not by nature, certain it is, that divers modern theologers do not only seriously, but zealously contend in like manner, that there is nothing absolutely, intrinsically, and naturally good and evil, just and unjust, antecedently to any positive command or prohibition of God, but that the arbitrary will and pleasure of God—that is, an omnipotent Being, devoid of all essential and natural justice—by its commands and prohibitions, is the first and only rule and measure thereof. Whence it follows, unavoidably, that nothing can be imagined so grossly wicked, or so foully unjust or dishonest, but if it were supposed to be commanded by this omnipotent Deity, must needs, upon that hypothesis, become holy, just, and righteous. For, though the ancient fathers of the Christian Church were very abhorrent from this doctrine, yet it crept up afterwards in the scholastic age, Ockham being among the first that maintained that there is no act evil, but as it is prohibited by God, and which cannot be made good if it be commanded by him. And herein Petrus Alliacus and Andreas de Novo Castro, with others, quickly followed him.

'Now the necessary and unavoidable consequences of this opinion are such as these,—that to love God is *by Nature* an indifferent thing, and is morally good only because it is enjoined by his command;—that holiness is not a conformity

with the Divine nature and attributes;—that God hath no natural inclination to the good of his creatures, and might *justly* doom an innocent creature to eternal torment;—all of which propositions, with others of the kind, are word for word asserted by some late authors, though I think not fit to mention the names of any of them in this place, excepting only one, Joannes Sydlovius, who, in a book published at *Franeker*, hath professedly avowed and maintained the grossest of them. And yet neither he nor the rest are to be thought any more blameworthy herein than many others, that, holding the same premises, have either dissembled or disowned those conclusions which unavoidably follow therefrom, but rather to be commended for their openness, simplicity, and ingenuity, in representing their opinion naked to the world, such as indeed it is, without any veil or mask.'

The opinions here expressed by Cudworth, are approved and adopted by Stewart in the following passage.

'In the passage, which was formerly quoted from Dr. Cudworth, mention is made of various authors, particularly among the theologians of the scholastic ages, who were led to call in question the immutability of moral distinctions by the pious design of magnifying the perfections of the Deity. I am sorry to observe, that these notions are not as yet completely exploded; and that, in our own age, they have misled the speculations of some writers of considerable genius, particularly of Dr. Johnson, Soame Jenyns, and Dr. Paley. Such authors certainly do not recollect, that what they add to the divine power and majesty, they take away from his moral attributes; for if moral distinctions be not immutable and eternal, it is absurd to speak of the *Goodness* or of the *Justice* of God.

'"Whoever thinks," says Shaftesbury, "that there is a God, and pretends formally to believe that he is *just* and *good*, must suppose, that there is such a thing as *Justice* and *Injustice*, *Truth* and *Falsehood*, *Right* and *Wrong*; according to which eternal and immutable standards, he pronounces that God is *just*, *righteous*, and *true*. If the mere will, decree, or law of God, be said absolutely to constitute *Right* and *Wrong*, then are these latter words of no signification at all."

'In justice, indeed, to one of the writers above mentioned, (Dr. Paley,) it is proper for me to observe, that the objection just now stated has not escaped his attention, and that he has even attempted an answer to it; but it is an answer in which he admits the justness of the inference which we have drawn from his premises; or, in other words, admits, that to speak of the moral

attributes of God, or to say that he is *Just*, *Righteous*, and *True*, is to employ words which are altogether nugatory and unmeaning. That I may not be accused of misinterpreting the doctrine of this ingenious writer, who on many accounts deserves the popularity he enjoys, I shall quote his own statement of his opinion on this subject.

'"Since moral obligation depends, as we have seen, upon the will of God, *Right*, which is co-relative to it, must depend upon the same. Right, therefore, signifies *consistency with the will of God.* But if the divine will determine the distinction of right and wrong, what else is it but an identical proposition to say of God that he acts right? Or how is it possible even to conceive that he should act wrong? Yet these assertions are intelligible and significant. The case is this. By virtue of the two principles, that God wills the happiness of his creatures, and that the will of God is the measure of right and wrong, we arrive at certain conclusions, which conclusions become rules; and we soon learn to pronounce actions right and wrong, according as they agree or disagree with our rules, without looking farther; and when the habit is once established of stopping at the rules, we can go back and compare with these rules, even the divine conduct itself, and yet it may be true, (only not observed by us at the time,) that the rules themselves are deduced from the divine will."

'To this very extraordinary passage, (some parts of which, I confess, I do not completely comprehend, but which plainly gives up the *Moral Attributes of God*, as a form of words that conveys no meaning) I have no particular answer to offer. That it was written with the purest intentions, and from the complete conviction of the author's own mind, I am perfectly satisfied from the general scope of his book, as well as from the strong testimony of the first names in England in favor of the worth of the writer; but it leads to consequences of the most alarming nature, coinciding in every material respect with the systems of those scholastic theologians, whom Dr. Cudworth classes with the Epicurean philosophers of old, and whose errors that great and excellent writer has refuted with so splendid a display of learning, and such irresistible force of argument.'

There is a slight mixture of truth in these remarks of Cudworth and Stewart, which serves to give them in some parts an air of probability, and by the aid of which, and a little charitable construction, they might perhaps be reconciled with facts; but they are fitted, we think, on the whole, to convey a most erroneous notion of the subject. These writers agree in the opinion we have expressed above, that moral distinctions

are founded in a law of nature anterior to, and independent of any positive institution; or, in other words, in the relations existing among the various orders of intelligent and moral beings. They also admit, that the universe owes its existence to the power and will of God; and the question is, whether the relations between the different persons and objects composing the universe be, or be not an effect of the will of the Creator who formed the whole. If the Power that governs the universal system think proper to create the sun with a diameter of about eight hundred and eighty thousand miles, and the earth with one of about eight thousand, is it, or is it not an effect of his will, that the sun is larger than the earth? Common sense replies of course in the affirmative. Mr. Stewart and Cudworth maintain the negative. The supposition being made, say they, that the sun and the earth are created with the diameters which they now respectively possess, it follows, of *necessity*, that the sun must be larger than the earth, and the will of God himself cannot prevent it. There is, as we remarked above, some appearance of plausibility in this idea, which, however, disappears when we recollect, that the two propositions are only different expressions of the same facts. To say that the sun is larger than the earth, is only saying in more general terms, that they are respectively of such and such diameters, and as the will of God is admitted to be the reason why they are of such and such diameters, it is also, of course, the reason why one of them is larger than the other.

The case is the same with the moral relations between intelligent and rational beings. Is it, or is it not an effect of the will of God, that it is the duty of parents to love their children, and of children to love their parents, that it is the duty of us all, not to sacrifice the happiness of other men to the gratification of our own animal appetites? Here too, Stewart and Cudworth maintain the negative. 'For my own part,' says Stewart, 'I can as easily conceive a rational being so formed, as to believe the three angles of a triangle to be equal to *one* right angle, as to believe, that if he had it in his power, it would be *right* to sacrifice the happiness of other men to the gratification of his own animal appetites; or that there would be no *injustice* in depriving an industrious old man of the fruits of his own laborious acquisitions. The exercise of our reason in the two cases is very different; but, in both cases, we have a perception of *truth*, and are impressed with an irresistible con-

viction, that the *truth is immutable and independent of the will of any being whatever.*' Here again, there is an appearance of plausibility, which disappears as before, when we recollect, that the only fact affirmed in the proposition here supposed to be a necessary truth, is one which is admitted to be an immediate effect of the will of God. To say that parents are bound in duty by the law of nature to love their children, that we are all bound in duty by the law of nature to relieve distress, as in the cases here supposed by Stewart, is only saying, in other words, that there is a principle of love implanted by nature in the heart of every individual man, which displays itself under various forms, according to the particular situation and circumstances in which it operates. But the existence of this principle within us is admitted by all to be an effect of the will of God; and the fact, that we are bound in duty to love our neighbor, which is only another mode of expressing the same thing, must, of course, be referred to the same cause.

The intelligent reader will readily perceive, that there is the same fallacy in the mathematical illustration employed by Stewart in the above extract, as in the principal argument which it was brought to illustrate. The question whether it be an effect of the will of God, that the three angles of a triangle are not equal to *one* right angle, is precisely parallel to the one before stated, whether it be an effect of the will of God that the sun is larger than the earth. It is admitted to be an effect of the will of God, that a given figure has three sides and not two or four, and to say that the three angles formed by these three sides are not equal to a right angle, is only stating under a different point of view, the same fact, which must of course be attributed to the same cause. In short, the propositions which express relations, whether physical or moral, are only statements in a more general form of the existence and qualities of individual objects. These are regarded by all as creations of the divine will, which consequently determines the relations between them. To affirm that the same power which determined that Saturn should have seven satellites, and Herschel only five, did not determine that Saturn should have more satellites than Herschel, is plainly contradictory to common sense; and when we find philosophers of high and deserved reputation maintaining this assertion, we naturally conjecture that they are influenced by

some accidental motive entirely foreign to the merits of the question.

The nature of the motive that operated in this instance upon the minds of Stewart and Cudworth, is apparent from the tenor of the passages quoted above. They were apprehensive, that if we consider moral distinctions as 'results of the will of God,' we shall be obliged to withdraw from our ideas of the divine nature, the moral attributes which we generally consider as belonging to it. 'Such authors certainly do not recollect,' says Stewart, 'that what they add to the divine power and majesty, they take away from his moral attributes; for if moral distinctions be not immutable and eternal, it is absurd to speak of the goodness or of the justice of God.' 'If we suppose,' says Cudworth, 'that the arbitrary will and pleasure of God—that is, an omnipotent Being, devoid of all essential and immutable justice—by its commands and prohibitions is the first and only rule and measure of right and wrong, it would follow unavoidably, that nothing could be imagined so grossly wicked or so foully unjust or dishonest, but if it were supposed to be commanded by this omnipotent Deity, must needs upon that hypothesis become holy, just, and righteous.' 'Whoever thinks,' says Shaftesbury, 'that there is a God, and pretends firmly to believe that he is *just* and *good*, must suppose that there is independently such a thing as *Justice* and *Injustice*, *Truth* and *Falsehood*, *Right* and *Wrong*, according to which eternal and immutable standards, he pronounces that God is *just*, *righteous*, and *true*. If the mere will, decree, or law of God be said absolutely to constitute right and wrong, then are these latter words of no signification at all.' In all this there is much confusion of ideas, which obviously results from the implied supposition, that the moral attributes of God, if real, must be of the same nature with ours. But is it possible that either of these writers can have imagined, or that any person of sound mind can for a moment imagine, that God is just and good in the sense which we attach to these terms, when we apply them to ourselves? It would surely be the height of absurdity, as well as irreverence, to conceive of the Divine Being as involved in the sphere of our ordinary family and social relations; yet the terms *Good* and *Just*, as we apply them to ourselves, are merely generalisations of the more particular qualifications of a good father, a good husband, a good neighbor, friend, and citizen. Do we then deny the reality of

the moral attributes of God, because we do not believe that they operate under the modes which belong to our limited and transitory sphere of action? Surely not. Do we deny the existence of God, when we say that the manner of it is entirely different from that of ours? Do we deny the intelligence of God when we affirm that 'his ways are not as our ways, nor his thoughts as our thoughts?' Why then should we be thought to impeach the goodness and justice of God by supposing them to be manifested under forms entirely foreign to the law of our nature? We believe, and the opinion is authorized by scripture, that our intellectual and moral part, 'the God within the mind,' is in some faint and imperfect degree an image of the Sublime Intelligence, that created and governs the Universe. In attempting to form an idea of the attributes of this 'High and Holy One,' we suppose the wisdom, power, and goodness that constitute the best qualities of our own better nature, elevated to an infinitely higher pitch than that in which we possess them, and combined in perfect harmony without any mixture of earthly alloy. The mode of existence and action that belongs to such a being is entirely above our comprehension. We know that it must be wholly different from ours, but in affirming that the law of our nature is an effect of the will and not a rule for the conduct of God, we make no approach to a denial of his attributes, intellectual or moral. We may surely imagine a principle of Intelligence, that is exercised without the intervention of our material senses,—a principle of Love that displays itself in other forms than those which result from our social relations,—as easily as a principle of Being independent of the laws of our existence, independent of the limits of time and space, inhabiting at once the mysterious mansions of eternity, and the secret recesses of the humble and contrite heart. On the other hand, how degrading is the notion that this mighty and mysterious Being is himself bound down by a law superior to, and independent of his own power and will! Instead of being the law-giver of the Universe, God, in this theory, is only the first subject of some more elevated principle, that prescribes a rule for his actions, enforced, no doubt, in the usual way, by appropriate rewards and punishments. But who shall undertake to judge whether God, in establishing the law of nature, has obeyed the higher and immutable law, which Destiny imposes on him? This office, on the theory we are considering, devolves on man. 'Who-

ever thinks that there is a God,' says Shaftesbury in the passage above quoted, 'and pretends formally to believe that he is *just* and *good*, must suppose that there is independently such a thing as *Justice* and *Injustice*, *Truth* and *Falsehood*, *Right* and *Wrong*, according to which eternal and immutable standards HE pronounces that God is *just*, *righteous*, and *true*.' Man, therefore, is the appointed arbiter, who takes cognisance of the actions of God, compares them with the immutable decrees of Destiny, (from what digest or collection of reports he obtains his knowledge of the latter does not so fully appear,) and PRONOUNCES that it is or is not conformable to them. Man, it must be owned is on this theory a pretty important personage; being, if we are not mistaken in the order of precedence, a degree higher than Destiny itself—to say nothing of Deity—since the Judge is regularly superior to both the parties, who attend at his tribunal and await his decision. One hardly knows whether to smile or tremble at these irreverent absurdities, which are however necessary conclusions from the theory of Cudworth and Stewart. In comparison with these, the strange inconsistency with fact in the concluding remark of Shaftesbury, as quoted above, is hardly worth noticing. 'If the mere will, decree, or law of God be said absolutely to constitute *Right* and *Wrong*, then are the latter words of no signification at all.' Now it is admitted by these writers, as we have already seen, that on their system the words *Right* and *Wrong* have no meaning, or at least none that can be stated by one person to another. They are acknowledged not to be susceptible of analysis, definition, or explanation. On the other hand, the theory, which describes them as indicating conformity to the law of nature, or obedience to the will of God, assigns to them a meaning, to our minds perfectly satisfactory, but which must appear at all events precise and intelligible even to those who deny its correctness. The remark of Shaftesbury is of course exactly the reverse of the truth.

For ourselves, therefore, we would join without hesitation in the sublime interrogatory of the illustrious Hooker, so often quoted, and so little weighed and understood, which contains in a single line the quintessence of Philosophy preserved in the purest spirit of Poetry. 'What then shall we say of law, but that its seat is the bosom of God,—its voice the harmony of the world?' *Its seat is the bosom of God.* God in the independent exercise of his own high attributes, issued the

decrees that determined the existence, form and qualities of all created things, and fixed in so doing the laws that regulate their modes of being and of action. *Its voice is the harmony of the world.* The great movement of nature, which proceeds in obedience to this transcendent law is a perpetual publication of it—a perpetual revelation of the will of its author. 'Day unto day,' says the "monarch minstrel" of scripture in his unequalled strains of devotion and poetry, 'day unto day uttereth speech—night unto night showeth forth knowledge. No sound—no language—their voice is not heard—but their meaning goeth forth to the ends of the earth—their sense is understood by all the nations.' *Its voice is the harmony of the world.* We obtain the knowledge of it not from black-letter statute-books, and dusty commentaries, but from the bright and living face of nature, as its various features impress the senses, inform the understanding, excite the imagination and touch the heart. We inbale it in the balmy breath of morning, we read it inscribed on characters of light in the blue expanse of the starry firmament, and embroidered in flowers of every hue on the green mantle of spring. We hear it in the whispers of the 'sweet South'—in the warbling of the birds—in the trumpet-tones of the wintry hurricane. We feel it in the secret suggestions of our own hearts. The sages of the old Italian school, in their lofty allegories, described this universal harmony of the world as the *Music of the Spheres*, and they said that it could only be heard in the *silence of the passions.* In this, too, they were right. The secret of truth and virtue is revealed to those only who seek with purity and singleness of mind to discover it. When we yield to irregular desires, and disturb the grand concert of the Universe with the dissonant uproar of vicious indulgence, we are forthwith punished by an incapacity to hear and enjoy it. The great book of nature becomes forever after a sealed volume, and the divine law, which it unfolds to us, an impenetrable mystery.

If, however, we suppose the characteristic of virtue to be, as we have described it, conformity to the law of nature, that is, obedience to the will of God, we may solve with comparative facility the question, which has frequently been agitated whether the natural affections be in themselves virtuous. This question, as we have already had occasion to remark, is decided by Mr. Stewart in the negative, not only in reference to the selfish, but also to the social and benevolent affections.

'It is not my intention,' says he, 'to exalt our natural affections into virtues. So far as they arise from original constitution, they confer no merit whatever on the individual any more than his appetites and passions.

'Hutcheson seems to consider virtue as a quality of our *affections*, whereas it is really a quality of our *actions*; or, perhaps, in strict propriety, of those *dispositions* from which our actions immediately proceed. Our benevolent affections are always amiable, but, in so far as they are constitutional, they are certainly in no respect meritorious. Indeed some of them are common to us with the brutes. When they are possessed in an eminent degree, we may perhaps consider them as a ground of moral esteem, because they indicate the pains which have been bestowed on their cultivation, and a course of active virtue in which they have been exercised and strengthened. On the contrary, a person who wants them is always an object of horror; *chiefly* because we know that they are only to be eradicated by long habits of profligacy, and *partly* in consequence of the uneasiness we feel when we see the ordinary course of nature violated, as in a monstrous animal production. It is from these two facts, that the plausibility of Dr. Hutcheson's language on this subject in a great measure arises; but if the facts be accurately examined, they will be found perfectly consistent with the doctrine already laid down, that nothing is an object of moral praise or blame but what depends on our own voluntary exertions; and of consequence, that these terms are not applicable to our benevolent or malevolent affections, so far as we suppose them to result necessarily from our constitutional frame.

'There is another consideration, too, which, on a superficial view, appears favorable both to Hutcheson's language and system, the peculiar and enthusiastic admiration with which all mankind regard a man of enlightened and active benevolence. Such a character draws upon itself not merely the *applauses*, but the *blessings* of the world, and assimilates human nature to what we conceive of those ministering angels who are the immediate instruments of the Divine goodness and mercy.

'In order to think with accuracy on this very important point of morals, it is necessary to distinguish those benevolent affections, which urge us to their respective objects by a blind impulse, from that rational and enlightened benevolence, which interests us in the happiness of all mankind, and indeed of all the orders of sensitive beings. This Divine principle of action appears but little in the bulk of our species; for although the seeds of it are sown in every breast, it requires long and careful cultivation to rear them to maturity, choked as they are by envy, by

jealousy, by selfishness, and by those contracted views, which originate in unenlightened schemes of human policy. Clear away these noxious weeds, and the genuine benevolence of the human heart will appear in all its beauty. No wonder then that we should regard, with such peculiar sentiments of veneration, the character of one whom we consider as the sincere and unwearied friend of humanity; for such a character implies the existence of all the other virtues; more particularly of candid and just dispositions towards our fellow-creatures, and implies, moreover, a long course of persevering exertion in combating prejudices and in eradicating narrow and malignant passions. The gratitude, besides, which all men feel towards one in whose benevolent wishes they know themselves to be comprehended, contributes to enliven the former sentiment of moral esteem; and both together throw so peculiar a lustre on this branch of duty as goes far to account for the origin of those systems, which represent it as the only direct object of moral approbation.

'But what I am chiefly anxious to infer at present from these remarks is, that there is nothing in this approbation of a rational and enlightened benevolence, which at all invalidates the doctrine, that virtue, in all its branches, supposes a course of voluntary exertion under the guidance of a sense of duty.'

In these observations on the moral value of the benevolent affections, Mr. Stewart has been embarrassed and led into error by his theory of a distinct and separate *Moral Faculty*, entirely independent of the usual operations of the mind and heart. There is obviously a strange inconsistency in admitting that we regard an individual of a remarkably benevolent character with *Enthusiastic Admiration*, with *Gratitude*, with *Veneration*, with *Moral Esteem*, and at the same time denying that we regard benevolence with moral approbation. What difference can be made, in the correct use of language, between *Moral Esteem* and *Moral Approbation?* Gratitude, veneration—enthusiastic admiration, when directed towards a character, which is a proper object of moral esteem, are only different names for the same feeling in its most exalted degrees. And, as in a matter of feeling like this, the common sentiment of men is the surest and indeed the only test of truth, Mr. Stewart, by this admission, has recorded a decision completely adverse to his own theory. The attempt which he makes to account for our enthusiastic admiration of benevolence, on the principle that this quality supposes the union of justice in the same character, is also very singular. Benevo-

lence no doubt supposes justice, but justice itself is not an object of admiration. It is a merely negative virtue, and consists in not inflicting on others a positive injury. How can it be maintained with plausibility that we admire benevolence, because it includes justice, when we do not admire justice itself in its own acknowledged form? To say that we admire benevolence because it supposes or includes justice; that is, that we admire a benevolent man because we are sure that he does not defraud and oppress his fellow-citizens, is much like saying that we admire fine poetry because we are sure that it must be written with a correct observance of all the rules of grammar. Such are the inconsistencies and singularities into which Mr. Stewart has been led by his attempt to deprive benevolence of the character of virtue. The distinction which he takes in this respect between the *actions* and *affections* is no doubt founded in fact, but is in no way inconsistent with the theory which considers benevolence as virtuous. Virtue, we know, is a quality of actions, and benevolence, so far as it is an involuntary effect of original constitution or favorable circumstance, confers no merit. When we say that we approve and admire benevolence, we mean that we approve and admire it as a *motive* to action; that we consider actions performed with this motive as virtuous; that we regard an individual, who acts upon this motive with moral approbation; one who acts upon it habitually and to an uncommon extent, with enthusiastic admiration. All this agrees entirely with the common forms of language, and with the common sense and feeling of the world. Mr. Stewart is compelled to refuse his assent to it by his system, which places the characteristic of virtue in a conformity to a moral *Faculty* or *Sense* entirely distinct and separate from our natural affections. We have just seen to what difficulties he is reduced by attempting to account, consistently with this system, for acknowledged facts. On the other hand, the theory, which supposes that our natural sentiments, and especially the benevolent affections, are themselves the principal elements of what we call the *Moral Sense or Faculty* is perfectly consistent with these facts and with the usual forms of language employed throughout the world. It reconciles philosophy with common sense, which, although it be no foundation for scientific theories, is the best test of their correctness and the best check upon their errors. Were there no other objection to the theory of an independent *Moral Fac-*

ulty but this, that it deprives benevolence of the character of virtue, we should feel no hesitation in rejecting it as completely at variance with the consciousness of every correct and uncorrupted mind.

We are aware that authority, however high, is of no weight as such in philosophical discussion; but as Mr. Stewart has himself resorted to the Bible for evidence in support of some of his views on the nature of the Moral Faculty, we may perhaps be permitted to appeal to the same high arbiter in favor of the opinions we have suggested above.

'It is difficult,' says our author, 'to explain the following words of scripture in any other sense, than by applying them to such doctrines concerning the factitious origin of moral distinctions as have now been under our review. "Woe unto them that put evil for good, and good for evil; that put darkness for light, and light for darkness; that put bitter for sweet, and sweet for bitter."'

Without intending to dispute the application here made by Mr. Stewart of this text, which really does not appear to us to be a very natural one, we cannot but remark that it would be easy to point out passages of scripture far more direct and explicit in favor of the opinion that benevolence is a virtue. The eloquent apostle to the Gentiles employs a whole chapter of one of the Epistles to the Corinthians in illustrating and developing this principle; and our Saviour himself expressly declares, that to 'love our neighbor as ourself' is one of the two great commandments, which make up together the *Whole Law*. This declaration, although it has no logical effect upon the argument, of course decides the question for those, who admit the authority of scripture. We allude to it here principally for the purpose of showing that there is nothing heretical, dangerous, or contrary to received truths in the theory, which we have stated on the subject.

IV. We have enlarged so much on the preceding head, that we have left ourselves but little space to examine the principles of our author in reference to the fourth and last branch of the inquiry, which treats of the nature and origin of Moral Obligation. His views respecting these points are succinctly stated in the following extract.

'According to some systems, moral obligation is founded entirely on our belief that virtue is enjoined by the command of God. But how, it may be asked, does this belief impose an ob-

ligation? Only one of two answers can be given. Either that there is a moral fitness that we should conform our will to that of the Author and Governor of the universe; or that a rational self-love should induce us, from motives of prudence, to study every means of rendering ourselves acceptable to the Almighty Arbiter of happiness and misery. On the first supposition we reason in a circle. We resolve our sense of moral obligation into our sense of religion, and the sense of religion into that of moral obligation.

'The other system, which makes virtue a mere matter of prudence, although not so obviously unsatisfactory, leads to consequences, which sufficiently invalidate every argument in its favor. Among others it leads us to conclude, 1. That the disbelief of a future state absolves from all moral obligation, excepting in so far as we find virtue to be conducive to our present interest. 2. That a being independently and completely happy cannot have any moral perceptions, or any moral attributes.

'But farther, the notions of reward and punishment presuppose the notions of right and wrong. They are sanctions of virtue, or additional motives to the practice of it, but they suppose the existence of some previous obligation.

'In the last place, if moral obligation be constituted by a regard to our situation in another life, how shall the existence of a future state be proved, or even rendered probable by the light of nature? or how shall we discover what conduct is acceptable to the Deity? The truth is, that the strongest presumption for such a state is deduced from our natural notions of right and wrong; of merit and demerit; and from a comparison between these and the general course of human affairs.

'It is absurd, therefore, to ask *why* we are bound to practise virtue. The very notion of virtue implies the notion of obligation. Every being, who is conscious of the distinction of right and wrong, carries about with him a law, which he is bound to observe, notwithstanding he may be in total ignorance of a future state.'

We agree with our author that the idea of obligation is implied in that of virtue, but we are not quite sure that the connexion between them would be quite so clear as he imagines it to be if we admit his own definition of the latter term. Virtue, as the reader will recollect, is, on the system of Mr. Stewart, a conduct conformable to the dictates of conscience, and conscience is an internal monitor, wholly independent of the intellectual powers and natural affections, which serve to determine and regulate our conduct. This monitor approves a certain action

or line of conduct; but why am I, therefore, bound to perform or pursue it? The question really does not seem to us so absurd, nor the answer so clear, as Mr. Stewart appears to suppose. There is also, in our opinion, an obvious inconsistency in stating that the idea of obligation is implied in that of right, after having previously declared the latter to be entirely simple and not susceptible of explanation or analysis. An idea, which implies or includes another, is of course complex and susceptible of being analysed into at least two. But considering virtue, as we have explained it to be, a line of conduct conformable to the Law of Nature, the connexion, or rather identity, of the two ideas is undoubtedly obvious. Obligation is the name we give to the necessity, which an individual is under of accommodating his conduct to the laws to which he is subject; and by moral obligation we mean the necessity of this kind, which results from a Law of Nature, as contradistinguished from the positive institutions of society. Such is the etymological and usual signification of the terms. To say, therefore, that virtue consists in a conduct conformable to the law of our nature, and that we are under a moral obligation to practise virtue, is only saying the same thing in different words. Should the question be asked, why we are bound to obey this Law of Nature, the answer is plain. The Law of Nature is the form of our existence and action—the mode in which we live and move and have our being. It remains the same whether we will or not, and we are *obliged to obey it*, that is, we *must* submit to its operation in one shape or another, because every being must of necessity exist and act according to the principles of its constitution, and not in any other way. By the effect of one of these principles of our constitution, which is the freedom of the will, we are able to vary in some degree the manner in which we are affected by some of the other principles, and to determine whether their influence upon us shall be productive of pleasure or pain, satisfaction or remorse, happiness or misery; but in either event we are equally subject to the action of the law, from which no effort or accident can ever enable us to escape.

The idea of obligation is, therefore, undoubtedly implied in that of virtue, if we intend by the latter term what it properly means, a conduct conformable to the Law of Nature. But this Law of Nature is itself a mere expression of the will of God, which is, therefore, the real and ultimate principle of

moral obligation. God, by creating the universe in a certain form, and by maintaining it in the same when it could not continue to exist for a single moment without his intervention, declared, and is constantly declaring, his will, that the several beings, of all orders and classes, that compose the universe, shall exist and act in a certain way, that is, according to the principles of the constitution which he has respectively given them. If, then, the question be asked, why this or that being is bound to exist, or act in a particular form—why the planets are subject to the law of gravity, and men to that of moral obligation—the true and only answer is, that such is the will of God. If we push the inquiry still further, and ask, why we are bound to obey the will of God, the answer is, that the necessity, physical and moral, of obeying his will, is implied in the fact of our existence and of our relation to him as our Creator and Preserver. In this there is no reasoning in a circle. We do not say, as Mr. Stewart intimates, that we are bound to obey the will of God because there is a moral 'fitness' in so doing—that is, because in so doing we should act in conformity to that higher rule of right which he supposes to exist independently of the power and will of God himself, and which, as we have shown already, is a vain and baseless fiction. *Necessity* and not *fitness* is the sense conveyed by the term *obligation*. We are *obliged* to obey the will of God because we cannot avoid it—because his will is the principle of our existence and the law of our nature. We must exist and act in the way that he has prescribed for us in all our relations, physical and moral, and we cannot exist and act, or even conceive the possibility of existing and acting in a different one. Within the sphere of activity, that belongs to our nature, there is, no doubt, a certain latitude allowed to individuals by the freedom of the will, but even in the exercise of this freedom they are, as we remarked above, subject to the same divine law, and have no choice but that of submitting to its operation in one way or another.

Mr. Stewart could not take this view of the subject because he unfortunately failed to perceive that the will of God was the real source of the moral law of nature. In attempting to trace the latter to a mysterious and imaginary cause, independent of, and superior to the great Creating Principle of the universe, he not only proposed to himself an obviously impracticable object, but vitiated the foundation of his whole theory

of ethics. By adopting this system, he was compelled to dissolve the natural connexion between Virtue and Religion, thus depriving the former of its only sure basis, and the latter of its chief practical value. Our leading purpose in the remarks which we have now made has been—as far as depended on our feeble efforts—to restore this union, on which, as we conceive the subject, depends entirely the harmony of nature and the happiness of man. We are aware that the limits of an article like this, even in the extended form which we have been obliged to give to it, are wholly inadequate to a full and satisfactory developement of these momentous truths. We may, perhaps, avail ourselves of some future occasion to resume the subject, and treat certain parts of it in greater detail. In the mean time, however, we indulge the hope that the hints we have thrown out—should they meet the approbation of competent judges—may excite others to reflection, and thus produce, indirectly, results more valuable than any which we could expect to draw from them ourselves.

It will be seen at once, from the tone and spirit of our remarks, that in contesting some of the leading principles of Mr. Stewart, it has not been our intention to depreciate his reputation, or diminish the general respect for his talents and character. We consider the tendency of his writings as eminently favorable to the great cause of truth and virtue, and can therefore recommend them with perfect confidence to the perusal of our readers. They are admirably fitted by their eloquent and attractive style, to inspire a taste for the high and interesting sciences which form their subject; nor are they the less valuable for this purpose, because the opinions of the author are not to be received in every point with implicit credit. While the beauty of the language and illustrations induces us to read, the questionable character of some of the principles induces us to think, and we thus obtain a double advantage; since it is only by learning to think for ourselves, and exercising this power, that we can really turn to any useful account our study of the thoughts of others. While we part with regret from a writer, whose name has never been mentioned among us for many years past without being accompanied by expressions of respect and gratitude, we rejoice that so much of the rich fruit of his fine taste and understanding will survive him in his works. We flatter ourselves that the stock will be increased by a judicious selection from his un-

published manuscripts, and shall embrace, with great delight, any future opportunity that may be offered us of again bestowing the feeble tribute of our applause upon the labors of one who will ever be remembered and admired as an eloquent writer, a powerful thinker, a wise, learned, amiable, and good man.

Art. XI.—*The New Testament in the Common Version, Conformed to Griesbach's Standard Greek Text.* Boston. Gray & Bowen. 1830.

In our fifteenth volume, we gave some account of the leading editions of the Greek New Testament, adding our favorable testimony to what has been contributed from all quarters, to the work of Dr. Griesbach; a critic, who,—in the circumstance that the principal emendations which he introduced, were thought not of a character to support his own theological system,—had a peculiar advantage for recommending his judgment to general confidence, and its results to an impartial estimation. We had occasion to remark, that what has hitherto borne the name of the Received Edition, was an anonymous compilation from previous impressions, themselves mainly derived from two sources; viz. the Greek Testament of the Complutensian Polyglot, prepared from manuscripts not now known, but which all the evidence, accessible on the subject, ascertains to have been modern and of little authority; and that of Erasmus, who possessed but four manuscripts, besides the text presented in a commentary by a father of the eleventh century. Of these manuscripts, one only was of the whole New Testament; the other three were respectively of the Gospels, of the Acts and Epistles, and of the Apocalypse. Of the first of these, which was ancient, dating perhaps from the tenth century, little use appears to have been made. The third, and especially the second, were modern, and of little critical worth. The fourth is now lost; it was so imperfect, that Erasmus was forced to supply chasms—in one instance to the extent of six verses—by his own translation from the Latin Vulgate. In less than nine months from the time when his work was undertaken, it had passed through the press, along with notes, and a Latin translation of the whole, the editor also giving meanwhile a great part of his atten-

tion to another publication. It was, of course 'despatched,' as he himself says, 'rather than edited.' And to add to the enumeration of his infelicities, the copy was not given to the public as he had prepared it, but was marred by ignorant correctors of the press, who also left typographical errors, which have been repeated in all reprints of the Received Edition to this day.

Between the time of the Received Edition and that of Griesbach's great work, several hundreds of manuscripts of the New Testament—and among them those of the highest antiquity known to be extant—had been carefully examined, and their testimony recorded. From this source,—from the ancient versions, indicating what the Greek text was at the time when they were made,—and from quotations by early writers of the church, one of whom, it has been said, Origen, would alone furnish an almost complete copy of the New Testament,—materials for a revision were brought together, amounting to not less than a hundred and thirty thousand various readings. The rules of judging between discordant authorities had also received much attention, and, in leading particulars, had assumed the fixed character of a science. In digesting these abundant materials, and ascertaining the results of a comparison according to these rules, the editor of what now claims the authority of the standard copy of the writings of the New Testament, employed the patient study of more than thirty years.

With the opinion which we so long ago expressed of his work, we were, of course, gratified to find it made accessible to English readers, in the volume of which we have given the title above. We have been struck with a remark in one of the periodicals of the day, that 'Dr. Knapp's Testament is now admitted by German scholars, liberal as well as orthodox, to be superior to Griesbach's,' and 'is the most highly esteemed, and most generally used in Germany.' In the comparison thus instituted, we apprehend that there has been some mistake. In preparing Griesbach's text of the New Testament, the authorities, antecedent to the art of printing, were weighed for every word, and thus the text of the Received Edition was amended, as often as there was found a clear preponderance of evidence for such correction. The manual edition of this author is a critical edition, in a proper sense of that phrase;—since, though not containing the full references of the larger work, which, for distinction's sake,

goes by that name, it exhibits in the text all the restorations there ascertained, and, in the margin, all the other important results of the examinations there denoted.—The edition of George Christian Knapp, first published in 1797, and since at different times and with some improvements till 1829, is a cheap book for schools. So far from coming, or being intended to come into competition with the work of Griesbach, the editor is at pains, in his *Prolegomena*, to have it understood, that he is a disciple of Griesbach in the only questionable particular of that critic's views, the systematic classification of authorities; and, moreover, that he does not undertake such a labor as that of a new edition, *nova recensio*,—which that of Griesbach, strictly speaking, is,—but only the humbler task of a new revisal, a re-examination, *nova recognitio*. *Recensuit Griesbachius*, and *recognovit Knappius*, are the respective appropriate designations of the title pages.

This distinction is treated in the *Prolegomena* to his Homer, by Wolf. The labor of a *recognition*, he says, is praiseworthy; 'whoever, the most partially furnished with the best helps, exhibits an author's text corrected, whether by the application of his own sagacity, or in the use of a few authorities, though he should hardly remove thirty errors, and leave a hundred untouched, has undeniably rendered a good service to letters.' And this is the kind of work, he continues, which most critics have been content with doing. 'Few are so pains-taking, as from recondite and separate sources, especially from ancient copies, to bring together every variety of reading, and then, instituting a comparison with the readings commonly received, to undertake a thorough emendation.' 'There is a great difference between this superficial and desultory labor, and that of an exact and complete revisal, conducted according to settled rules. In the former, more is scarcely aimed at, than to remove blemishes, which are currently admitted, or exhibited in some copies; passing over many readings, which, while as to sense they may be approved or tolerated, have, in point of authority, no pretensions. An exact *recension*, on the other hand, availing itself of all useful materials, searches throughout for what the writer's hand set down, and interrogates in turn the testimonies for every single reading, and not for those only, which may excite suspicion.'

The inferior work of the two kinds here distinguished is what Knapp, with great particularity, announces to have been

the aim of his own enterprise. 'I have promised, not a new *recension*, but a *recognition* of the text.'* The obvious objection to this procedure is, that a critic is not obliged by the nature of his engagement, to consult all accessible authorities, nor is he held to any strict rules of judgment between them. By the terms of his modest pretension, he is free to attend to a part of the evidence, instead of the whole, and to follow undefined preferences of his own, in the weight, which he ascribes to that part to which he does attend. In the critical edition of Griesbach, the reader may see, against every questionable word, a schedule of the authorities upon which the text preferred is determined to be what proceeded from the sacred writers, so that he has the means of reviewing the critic's decisions, and of reversing them if he see cause. The revised copy of Knapp furnishes no means of discerning how extensive was the search, or what the principles, which brought him to his conclusions. A partial remedy for this defect would have been found in a precise statement of how far it was that the editor proposed to go towards a restoration of the text. But this he has failed to furnish. He says only, in general terms, that he has in view such as 'demand a text more pure than the received text of the Elzevirs, which publishers have too long sent abroad.' 'If readers should find themselves but a little aided by his labors, he will have accomplished what he wished.' 'It is his purpose to present a *legitimate selection* of the most approved readings, extracted from a text of that conformation, which would bear the precise character of a new recension.' 'He has approached reluctantly and reverently the step of removing a received reading from its place.' 'He has often passed over the less important readings, especially where *he conceived* them to contain nothing to disturb a reader, or to affect the writer's sense. He has often purposely passed by what appeared to require some correction, when either the correction demanded was not obvious, or was of a questionable character. In other places, even where there were reasons dictating a change, still the necessity not being sufficiently indubitable, he had preferred to retain the popular reading, and apply a gentler cure by a change of punctuation.'

It is plain enough that all this is inexact and unsatisfactory. To be deaf to testimony for the pure, out of deference to the

* Commentatio Isagogica, p. 19.

corrupt, while it may wear a show of caution, is, in such a case, the loosest and most assuming rashness. The language of the preface throughout leads the reader to anticipate a sort of halting compromise between critical accuracy, which had made its claims heard, and a lingering popular attachment to some vitiated passages, which have now, with a remarkable unanimity of sects, been condemned, as not entitled to a place in scripture. Or it may be explained from the circumstances of the time, when the growing enumeration of various readings had created alarm in not a few serious minds; before it had come to be understood, with what astonishing strength these discoveries establish the invaluable truth of the substantial identity of the numerous copies, in all their representations of matters of faith and duty. However this may be, the editor is constantly betraying his apprehension, that, in doing the little, which he proposed to do, he should provoke the censure of the uninformed. 'If,' says he, 'this labor, modestly and circumspectly directed to a correction of the text, should give offence to unlearned or mistrustful men, my defence is at hand;' a defence consisting in the universal acknowledgment of the corrupt character of the Elzevir edition. 'May we not depart,' he proceeds, 'from that text, and adopt a better, possessing so many helps towards doing this successfully?' 'We may well be surprised, that a manual for learners has not been provided, more correct than that in use, at least free from those blots, which all who will open their eyes on the case admit should be removed.' 'Who would endure the man, who, after the editions of Gronovius, Grævius, and Ernesti, should reprint the text of Cicero from the Aldine edition, or that of Gruter, pretending that that was good enough for the ignorance of tyros?' By palpable errors, which he thus clearly, however timidly, exposes, we might expect that he would not suffer himself to be overawed. Yet we find him, soon after, expressly allowing, as to punctuation, often a most important part of the critic's task, that, 'except where he had reached absolute satisfaction, he had not presumed to interpose his judgment, in respect to places, which interpreters have long discussed, preferring to retain the common pointing, though not entirely meeting his approbation, provided it did not completely overthrow the sense.' Words, which, in his own view, were unquestionably spurious,—unquestionably from some interpolating hand,—he still retains in the text, enclosing them

only in double brackets; and even the mark of less positive discredit has not been added to any word, 'except on the authority of abundant witnesses.' Sometimes, as in John, viii. 1–11, when he has marked a passage as most unquestionably forged, he is even careful to say that he has not done this on account of discrediting the narration, but because he is persuaded of its not having been penned by the apostle. And finally he gives, at the close of his preface, a full profession of his adherence to generally received doctrines of theology, lest any should suppose, that, in his labors of textual emendation, he has been wanting in devotedness to them.

What state it was of opinion, or of the book-market, in Germany, which called for such a work, we cannot presume to say. It was first published eight years before the manual edition of Griesbach. Had the latter been in existence, the former would very probably never have appeared. In the preface to his second impression, Dr. Knapp says, that when the first was issued, there was a demand for a Testament, exhibiting a more correct text than the received, and such as, while it should be printed on fair types, should be of convenient size and small price. Having, from this cause, naturally acquired possession of the market, it would as naturally, more or less, retain possession. It was bought at first because there was nothing to compete with it, and copies were subsequently multiplied because, from use, they would sell. How wide has in fact been its currency, we have no sufficient means of ascertaining. In the English works by divines of different classes, which are full of the praises of Griesbach, we do not remember to have met with any mention of Knapp. De Wette, in his *Lehrbuch der historisch-kritischen Einleitung*, merely gives the title of his work, along with other manuals, in a short list appended to some remarks on Griesbach, in which he calls the latter's publication an indispensable manual for critics. Schott, in his first edition of the Greek Testament with a Latin version in 1805, in stating that the convenience of his publisher required him to follow the first and inferior edition of Griesbach, instead of waiting for the second to be completed, makes no mention of Knapp whatever, though he had published eight years before. In his second edition in 1811, Schott adopted the improved text of Griesbach, passing over in the same silence the labors of the other. Vater, in his Greek manual edition with a concise commentary, published in 1824, though

he names Knapp in his title page, does not speak of him in his preface or appendix,—in both which the labors of Griesbach, as 'the prince of critics,' are abundantly extolled,—except in a single clause, where he notices the carefully selected list of conjectural emendations subjoined by Knapp to his work. In Eichhorn's *Bibliothek der biblischen Literatur*, a notice of a page's length is devoted to Knapp, in the volume for 1799, the second year after his New Testament appeared. It is praised for its cheapness, for the judicious arrangement of the pages, and the correctness of its typography. The reviewer also hints at the apologetic strain of the preface, and expresses his hope that the peculiarly scrupulous character of the criticism will dispel all readers' apprehensions. In Fuhrmann's *Handbuch der theologischen Literatur*, (1819) is a short notice of the second edition, as one of 'two commendable manuals.' The strain of this *critique* is substantially the same with that of Eichhorn's *Bibliothek*. The character of the text, as the fruit of 'a *recognition* merely, not a *recension*,' is specified; and this work of recognition is remarked to have been executed 'with a solicitous scrupulosity, yea, a shyness.' 'Knapp,' says the reviewer, 'retains words in the text, which in justice should have been entirely omitted.' 'Palpable interpolations should by no means, (even though enclosed) have been received into the text.' 'The compiler has proceeded with a somewhat too anxious squeamishness.' We may add, that in a notice of Griesbach's great work, in the same volume, consisting of unqualified praise, the editor sums up his remarks by saying, 'Germany may be proud of this edition. No critical edition of the New Testament compares with this in purity and value, in the evidence which it exhibits of its own correctness even in minor particulars, and in the indefatigable diligence of the editor.'

At the hazard, or the cost, of being tedious, we have been thus precise and copious in citing authorities, because, when the question, which chances to be presented, is not upon the merit, but upon the standing of a work, the citation of authorities is the only course towards a determination; because, in a matter of critical inquiry, it is the authority of the learned which must unavoidably decide the general opinion; and because, in such an examination of evidence for particular reformations of the text, as would be essential in discussing the merits of an edition, we might seem to be keeping scarcely re-

mote enough from the region of controversial theology. We have only further to say, in general, that nothing of the continental writers has fallen in our way, inconsistent with the all but unanimously declared sense of the learned in the parent country, in and out of the church, in favor of the preponderating claim of the edition of Griesbach to the character of the standard of the New Testament collection. Bishop Marsh, in his translation of Michaelis, may have spoken this opinion more fully, but he has scarcely spoken it more decidedly than almost every other Episcopal scholar of any considerable name; and, not to specify other dissenting writers, the Eclectic Review, the great organ of English orthodox dissent, besides bearing its testimony more recently in repeated instances to the same point, gave, in its fifth volume, an elaborate article, the sum of which is expressed in the following extracts. 'The Greek text of Griesbach's last edition has a just title above every other yet published, to be received as a standard text.' 'We hazard nothing in saying, that the venerable professor has achieved that honorable and necessary work, which has been for ages wanted, of liberating the sacred text of the New Testament from unauthorized intrusions and alterations; and that he has exhibited it in a state so nearly approaching to its original and native form, as to exclude all probable expectation of any material improvement from future collations and critical labors.'

'It is highly desirable,' the same writer very judiciously adds, 'that the fruits of sacred criticism, produced by the arduous toils of illustrious scholars through so long a course of years, should be laid open to universal use. For this purpose a revision of the established translation, transfusing into it the increased purity of the original text, would be the most obvious, easy, and generally acceptable method.' Precisely this has been the design of the work which has afforded occasion to these remarks, and we do not wish to conceal our gratification that a work so desired has been attempted among ourselves. The editor of the New Testament, in the Common Version, conformed to Griesbach's Standard Greek Text, desires, in his preface, to be 'understood not to have attempted any such work as that of a revised translation of the New Testament. He has exactly reprinted the Common Version, except in places where the Greek text, from which that version was made, is now understood to have been faulty.

In other words, he has aimed to present the Common Version precisely such as it would have been, if the translators could have had access to the standard text of Griesbach, instead of the adulterated text of Beza. In the translations which he has introduced to correspond to the amended Greek, it has been his careful endeavor to imitate the style of the Received Version, and no one has been admitted without study and consideration.' Of the accomplishment of this plan, we shall say no more, than that such examination as we have made has detected no departure from the principles on which the editor professes to have proceeded, and that the exactness and finish of the typographical execution are worthy of uncommon praise.

QUARTERLY LIST OF NEW PUBLICATIONS.

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NORTH AMERICAN REVIEW.

No. LXIX.

OCTOBER, 1830.

ART. I.—*The American Annual Register for the Years 1827–8–9, or the Fifty-second and Fifty-third Years of American Independence.* New York. E. & G. W. Blunt. 1830.

We have, on former occasions, recommended the two first volumes of the American Annual Register, in terms decisive of our opinion of the plan and execution of the work. In its plan, we scarce know a work capable of being rendered more valuable, in the whole class of literature to which it belongs. The reader has only to consider how important a series of volumes an American Annual Register would be, commencing with the settlement of the country, or even with the revolution, in order to form an opinion of the claims of this publication to general patronage. For want of a contemporary record, like that which is furnished by these volumes, not a little of our history is irretrievably lost. The materials for it, if they exist at all, are dispersed throughout newspapers, magazines, and congressional documents, which it is in vain, after the lapse of a few years, to attempt to collect. A single volume, like one of those before us, relating to any period now considerably remote, would contain probably more information than the antiquary would be able to collect by years of study. It is not extravagant to anticipate, that, from the time when the publication of the English Annual Register commenced, the history of modern Europe will be written with much greater facility, as well as in much wider comprehension, than before. And what that work has accomplished for British history in particular, and the history of all other countries as far as they are in-

cluded in its plan, will of course be accomplished for American history, by a work, which shall appropriately sustain the character of an American Annual Register.

But it is not enough to say, that these works will be useful to posterity. It can hardly be expected of any generation to support expensive works solely for the benefit of their successors. We remark, therefore, farther, that publications of this class, judiciously executed, are of great immediate utility. Their object is, at the end of a year, to present the public with the substance of the year's events. It is possible, indeed, in reference to occurrences of great interest, that the reading of the newspapers from day to day will leave upon the mind, at the end of the year, a distinct and accurate impression of what has happened. Of such events as Napoleon's invasion of Russia, and perhaps the emancipation of the Catholics, or the election of General Jackson, and of the main incidents connected with these events, the knowledge derived from the daily journals is as clear and correct as is required. Great single incidents of course attract the notice and dwell on the memory. But let any person, even the most assiduous reader of newspapers, endeavor, at the end of the year, to go over, in his own mind, the political history of Great Britain, or of France, of Columbia, or of Mexico, or even of the United States, and he will find how general and vague his recollection is. He will find himself alternately embarrassed by the redundancy and the want of facts. Many things, recorded at the time as 'important news,' are of no permanent interest; and many things, that are of considerable consequence, escape even a vigilant attention. To give a summary then of the political history of the year, in which what is merely superfluous detail shall be omitted, and the main events shall be continuously narrated, is the duty of the Annual Register; and a duty, which cannot be discharged without essential benefit to the politician and general reader.

We have already expressed a favorable opinion of the manner in which the former volumes of the American Annual Register have been executed. The present volume we consider quite equal to either of the others. In ordinary circumstances, particularly in the case of a periodical work, we might not deem it strictly proper, to make the successive volumes of a series the subject of our remarks. Supposing, however, the American Annual Register not yet to have reached a

circulation, to make it wholly independent of the usual means of recommending new works to the notice of the public, and considering it highly important that this work should be liberally sustained, we have felt it a duty to call the attention of our readers to its merits.

This volume comprehends the political history of two years, and is to be followed by an additional volume, containing the public documents, law proceedings, and biographies for the same period. This departure from the strictness of the plan of an Annual Register is stated by the conductor, to have been caused partly by private considerations, although regarded by him as justified by the peculiar character of the events, which transpired during the two years embraced in the volume. We are not at all disposed to question the weight of the private considerations alluded to, nor to murmur at the delay. Neither do we deny that the history of 1828 and 1829, both domestic and foreign, may, in its leading events, be very conveniently written at once. We also look forward with interest to the supplementary volume, which is promised us in the course of the present season. We are, however, of the opinion, that on the punctual appearance of a volume each year, containing, in due proportion, all the matter pertaining to that year, the success of this work will mainly depend. Without this, the publication may be valuable, but it will not be an Annual Register. It will be a departure from that plan, which experience has shown to be admirably adapted to the end proposed; and which probably possesses advantages over any other, which, being in substance the same, should in form be considerably different. We forbear to enlarge on the topic, although we deem it one, in which the prosperity of the work is involved, because it could not be pursued without apparent disparagement of the present volume and of that which is expected to complete the two years.

Of the historical portion of this volume, about twice as much is devoted to Europe and the States of this Continent south of our Union, as is devoted to the United States. We are not disposed to apportion numerically the number of pages, to which the domestic and foreign history of the year are severally entitled. Circumstances will of course, at different times, suggest greater fullness in the different chapters of each. We are inclined to think it desirable, however, that the portion devoted to the United States of America should be at least as

ample as all the rest put together. The work is unquestionably looked to as an *American* Annual Register. The foreign portion of this work has been hitherto, and is, in the present volume, exceedingly well executed; a good deal better than the corresponding—that is, the foreign part of the English Annual Register. Still, however, the last named work, the French *Annuaire*, and other European publications may be depended on to furnish a satisfactory account of foreign history and politics. But none of them can for us, in any degree, supply the place of an *American* Annual Register, in the account of our own politics. More than once the English Annual Register, under the head of the History of the United States, has done nothing but gather up the libellous trash of our own daily partisan prints, embodied into a form fit, and, it would seem, designed for no higher purpose, than to be quoted back into our papers as the judgment of foreigners in respect to our domestic politics. Besides this, it is notorious, that foreigners cannot or will not comprehend America. We want, therefore, both for the instruction of Europe and for reference at home, a full and comprehensive history of our own political year. This part of the work will of course be the most attractive to the foreign reader; and though, on the first impression, the contrary may be supposed, it will be the most interesting even in the United States. A far larger portion of readers will be gratified and instructed by a well-digested and ample narrative of our own affairs, than by the most finished chapter on England, France, or Russia. It must not be supposed, that what is familiar to the conductor of the work, whose attention is systematically turned to the collection of its materials, will, therefore, be trite to the mass of the community. A good portion of its contents will be positively new to them; and what was known before will serve to give additional interest to the narrative. Nothing pleases most readers more than a full and connected account of an interesting subject, with which they have already a partial acquaintance. The actors in our domestic annals are all of them men well known in some part of the country—some of them well known in every part. The transactions, in which they are concerned, relating to our common country and to passing interests, will be read by many, who would grow weary over the bulletins of a campaign in distant regions, filled with the exploits of men they never heard of before. We wish also as much extension as

possible given to the chapters on the separate States. There is generally in each of the States some important or curious legislation, and some contribution toward the permanent and essential history of the country. This part of the work, we are fully aware, will be the most difficult to prepare. There is no convenient official source, like the journals of Congress, from which it can be derived. It must be sought in newspapers, and not in a small number of them. We believe, however, that the pains and diligence, bestowed on this part of the work, would be amply rewarded in its increased value. Some States might be dismissed more readily than others; and the State, which presented very important matter one year, might be summarily despatched the next. But the chapters devoted to them, if carefully elaborated, would be those perused with most interest by the mass of the readers of the work. Considerable care must be used in assigning to different States their relative portion of the pages of the work, according to the interest likely to be felt throughout the country, in the various topics treated under each head. Thus an abstract of the Revised Code of New York occupies seventy pages of the present volume, and the proceedings of South Carolina on the subject of Nullification, are comprehended in two pages. This perhaps is about the due share of each, in a philosophic aspect of the importance of the respective topics. But in an Annual Register of the politics and history of the country, something might have been retrenched from one article and added to the other. We refer to these instances, however, rather in the way of illustration, to explain our meaning, than of fault-finding. The chapters on American history contain the principal incidents in the legislation of the twentieth Congress, and the chief occurrences in the two last years of the late administration. They are related with as much moderation as can be brought to such topics by any person entertaining opinions of his own. There is no partisan violence in relating events and characterising measures, in which the author must have felt deeply, and in which he knew the public felt as deeply as himself. This moderation of tone belongs to the dignity of historical narrative, and in adopting it, the conductor of the Register has shown that he is alive to the elevated character of his work. Considered as a publication intended for perusal abroad, we deem this a very important part of its merits. Although licentiousness is inseparable from a free press, the fero-

city of our electioneering discussions has injured us essentially in the judgment of enlightened Europe. It is true, our brethren in England can say but little on this topic, for their press is as licentious as our own, though in a much narrower sphere; but the condition of the political press, in free countries, is already quoted as the justification of its restraint by the arbitrary governments of the continent.

We consider the Editor of this volume of the Register as having done wisely, in abstaining, in a good degree, from the insertion of debates in Congress. As nothing like even a fair specimen of the speeches of the two houses could be given, without unduly occupying the pages of the Register, we conceive it every way better (though otherwise perhaps contemplated in the original plan of the work) to confine the account of congressional proceedings to the history of their progress through the stages of legislation, and a general view of the arguments, by which they are supported and opposed. All else must be left to a *Register of Debates*—a work of prime necessity in the political literature of the country. We had hoped that the spirited commencement, which was made by Messrs. Gales & Seaton, a few years ago, would, under a liberal public and private patronage, have resulted in the permanent establishment of such a work. The private patronage, we regret to hear, has not been commensurate with the acknowledged importance of the undertaking, and the public subscription, if we are not misinformed, has been withdrawn. It will be a matter of just regret should these circumstances cause the suspension of a work of very high importance to the legislation of the country. We yet hope that there will be found enough of public and private liberality to warrant not merely the continuation of the work, which was commenced in 1825, but the collection of the congressional debates from the adoption of the Constitution.

To return to the American Annual Register, we must repeat the opinion that it is a publication richly entitled to patronage. It is essential to the well-instructed politician and the enlightened general reader. It ought to have a place in all our public and social libraries; and in the collections of individuals, who study the history of their country and of their age. It is in its nature a work of growing value. The series of volumes will constitute a repository not to be dispensed with, the importance of which will be out of proportion to that of the

single volumes, of which it is composed. It is capable of being made, we fully believe, the most popular periodical work published in the country. It would richly repay the time and attention of any conductor, however gifted and respectable. And in exhorting the accomplished gentleman, who is understood hitherto to have presided over its preparation, to persevere in this honorable pursuit, and to make it more and more an object of his studies and labors, we believe we consult the interest of the reading public, as well as his own reputation. If the authority of a name be wanted to stamp a character on the work, let him be reminded, that he is executing a plan, which was first projected by Burke, and for years occupied no small portion of his time.

Art. II.—1. *Fuersten und Voelker von Sued-Europa im Sechszehnten und Siebzehnten Jahrhundert, vornehmlich aus ungedrueckten Gesandschafts-Berichten.* Von Leopold Ranke. [Princes and Nations of the South of Europe in the Sixteenth and Seventeenth Centuries, compiled principally from the Reports of Ambassadors. By Leopold von Ranke.] Hamburg. 1827.

2. *Geschichte des Osmanischen Reiches aus den Quellen.* Von Joseph von Hammer. [History of the Ottoman Empire, from Original Sources. By Joseph von Hammer.] Perth. 1827.

3. *Des Osmanischen Reichs Staatsverfassung und Staatsverwaltung von Demselben.* [Constitution and Administration of the Ottoman Empire. By the same.] Vienna. 1827.

We have recently seen a great empire, which but a few centuries ago, threatened to extend its dominion over all the European continent, preserved from entire ruin only by the relations of its victorious invader with other powers. The terror, which that empire formerly inspired, is proved by the well-known fact, that prayers for the destruction of the Turks are still to be found in the litanies of some of the German churches. It may not be uninteresting to inquire, in what manner, and by what means, so extraordinary a change has been produced in so short a period; and we shall endeavor in

this article, to present our readers with a brief view of the causes of the decline of the Ottoman empire.

In attempting to ascertain the causes to which the decline of any institution is properly to be attributed, we shall be materially aided in our inquiries, by first investigating those of its ascendancy. We shall thus discover the essential principles of its organisation, in which are not unfrequently to be traced the sources of its decay. The decline of the Roman empire was not owing to its invasion by barbarians, but that invasion was rather the result of its decline. The downfall of empires may doubtless be accelerated by external causes, though the operation of these causes is generally limited and partial. It is to the effect of internal causes, that the greatness of the Ottoman empire, in the reign of Solyman II., as well as the subsequent decline of its power, must be attributed.

In studying the history of the Turks, very little assistance is to be derived from their native writers; but this defect is in a great measure supplied, by the reports of many European ambassadors, who resided at the court of the Sultan, at the period when the Ottoman empire underwent the most important changes. The most valuable of these are the *relazioni* of the ambassadors of Venice. This haughty republic, whose position enabled her not unfrequently to throw a decisive weight into the scale of contending nations, whose commerce brought her into close connexion with the greatest kingdoms, and made her friendship desirable to all, more than supplied her want of physical power by the wisdom of her policy. Her most able and experienced citizens were employed as her representatives at foreign courts. They were required to send weekly statements of all important occurrences to their own government, and upon their return to Venice, to present a very full and particular account of the court and nation in which they had resided, to the Council of the *Pregadi.* This Council was composed of men of talent and experience, who had either formerly been, or might subsequently be called to officiate in a similar capacity. In the reports of the ambassadors the situation and circumstances of foreign courts, the condition of the people, the administration of the government, and their relative position in regard to other States, particularly Venice, were described. Together with his report, the present, which he had received from the sovereign, was laid by the ambassador at the feet of his *Signoria.* These reports were read before

the council, in presence of the doge, to whom they were addressed; and as they contained the results of acute and personal observation, were commonly interesting and satisfactory. The practice was considered by the Venetians as very useful to the state; and it must have been particularly important at a period, when travellers were not very numerous, and the narratives of their travels were very seldom published. It was, however, condemned by some, who called it a dissection of courts and governments; and we find that these ambassadors were not unfrequently reproached for their freedom and officiousness. The reports were preserved in the archives of the state.

The name *relazione* was first used in 1465, though the ambassadors of Venice were required to note down every thing remarkable which they observed abroad, by a law passed two centuries earlier. Both the name and the practice were retained until so late a period as the beginning of the French revolution. They are frequently referred to between the years 1530 and 1630, during which period, it was not unusual for exalted personages to employ clerks for the purpose of copying them.

The ambassadors of the pope, of the king of Spain, and the dukes of Florence and Ferrara, were instructed to prepare reports of a similar kind; and large collections of these documents were formed, either original or copied, many of which are still preserved in some European libraries. The collection of Venetian *relazioni*, in the library of Paris, is so complete, that, in the opinion of competent judges, it would fully supply the loss of all the archives of Venice. For the first collections of the kind, we are indebted to Cardinal Vitellozo, who spared no labor or expense in procuring these manuscripts, and whose example was soon followed by many other persons of distinguished eminence. Several modern authors have availed themselves of these historical treasures; and in the valuable work of Mr. Ranke, Professor of History at Berlin, the title of which is placed at the head of this article, we see the fortunate result of a diligent and judicious study of them. Of the numerous other writers upon the subject of Turkey, we shall mention only Mr. Joseph von Hammer, one of the first oriental scholars of the age. Three volumes of his great work, the title of which is also prefixed to this article, and which bring the History of the Ottoman Empire down to the

year 1574, have been already published. Mr. Von Hammer was for many years employed in the diplomatic service of Austria in Egypt and Turkey, and is now interpreter of oriental languages in the department of state at Vienna. Besides the work already mentioned, he has published the Reports of Resmi Ahmed Effendi, Turkish ambassador to Vienna and Berlin; a translation of the Trumpet of the Holy War; a work entitled the Constitution of the Ottoman Empire; and Views on a Journey from Constantinople to Brussa and Olympus.

The origin of the empire of the Ottomans, as it is described in their own traditions, was by no means imposing. It appears from these, that the founder of that empire cultivated the ground with his slaves, and that a flag was employed by him as a signal to call them from their labors at noon. When they accompanied him in his military expeditions, they continued to assemble under the same signal. This personage was favored with a prophetic dream, in which a tree appeared to shoot forth from his body, and to overshadow the world. It is further related, that, after a considerable part of Asia Minor had become subject to this tribe, Solyman, the nephew of Osman, as he was one day riding by the Hellespont, amidst the ruins of ancient cities, fell into a profound reverie. 'Of what,' asked one of his companions, 'is my khan thinking?' 'Of the mode,' replied Solyman, 'in which I shall reach the European shores.' These companions of Solyman were the first Turks who invaded Europe. Amurath I., his brother, conquered Adrianople; and from this time the power of the Ottomans increased with great rapidity. The successors of Amurath were uniformly victorious, until Solyman II., in the beginning of the sixteenth century, became the ruler of a vast empire. The name of this powerful sultan was rendered formidable throughout the Mediterranean by the famous Chaireddin Barbarossa, who boasted that his turban alone, placed upon a staff, would drive the Christians far back into the country. At this time, thirty kingdoms and nearly eight thousand leagues of sea-coast were included in the Ottoman empire; and Solyman assumed the pompous and not altogether inappropriate titles of Emperor of Emperors, Prince of Princes, Distributer of Earthly Crowns, Shadow of God over both Hemispheres, Ruler of Europe and Asia, and of the Black and White Seas. One of the causes of this vast and sudden accession of power was the degenerate condition of the conquered countries; but

it was principally to be attributed to the peculiar organisation of the conquering tribe.

It was the custom of the Ottomans, to divide the countries which they conquered into a multitude of fiefs. The highest officers of the empire were two *beglerbegs*. Next in rank to them were the *sandgiacbegs*, the commanders of a flag; then the *alaibegs*, who commanded the different divisions of the army; and lastly, the owners of larger or smaller fiefs, which were known by the name of *siamets* or *timars*. All these were compelled, upon the requisition of the sultan, to provide horsemen, varying in number, according to the importance of their respective fiefs. The horsemen, thus furnished, were called *sipahi* or *spahi*. By means of this arrangement, the sultan was enabled at any moment to summon to his standard eighty thousand soldiers from Europe, and fifty thousand from Natolia. The owner of a siamet or timar, with an income of three thousand aspers (about thirty-six dollars and a half), was required to provide a single horseman, and an additional one for every five thousand aspers of additional income. So far there was no essential difference between the feudal system of Turkey, and that of Western Europe. Among the Turks, however, as there existed no nobility, no right of immediate succession was vested in the son. In fact, it was expressly provided by Solyman, that the infant son of a sandgiacbeg, with an income of seven hundred thousand aspers, should inherit only a timar with an income of five thousand aspers, and be compelled in addition to this, to maintain a single horseman. The son of a sipahi, who died in actual service, was entitled to a larger timar, than if the sipahi died at home. The private property of a wealthy sandgiacbeg descended not to his sons, but his successor; and the sons of the most affluent were placed upon a level with those of the poorest, excepting that none but the sons of *timarli*, that is, owners of timars, were entitled to fiefs of this description. In regard to conquered countries, this military body might be considered as a kind of nobility, while in regard to each other, they were on a footing of perfect equality. The system was obviously well calculated to unite the conquerors in a vigorous and powerful corps, completely subject to the sultan, who bestowed these timars at pleasure, and resumed them again after the expiration of a certain period, while, according to the system of Western Europe, fiefs, when they were given to vassals, were generally

altogether lost to the government. The Turkish system appears to have been the more equitable of the two, as the timars, instead of being inherited, were distributed as the recompense of merit. But it was the feudal system of the West to which we owe the enlightened freedom of modern times, which arose from the conflicts between the interests of different classes of society, placed, by the natural operation of that system, in a state of direct and perpetual hostility to each other, and from the formation and growth of cities, the immediate results of those conflicts. Liberty, as it exists among us, was entirely unknown to the ancients. They saw in the individual only a servant of the state, while we consider the freedom and happiness of the individual, as the purpose for which the state was instituted. The system of the Ottomans, recognising no order of nobility, conferring no permanent privileges, and regarding all as equal, has been correctly described by an ingenious Frenchman, as '*un despotisme absolu moderé par la regicide.*

But there existed among the Turks an institution still more important, which may be denominated an organised system of slavery. The whole country was traversed once in five years by small bodies of soldiers, each of whom was provided with a *firman*, or decree of the sultan. The commanders of these bodies were empowered to summon together the whole male population of every place which was inhabited wholly, or in part, by Christians; and to carry away every individual of whatever age, who should appear to be at all remarkable for strength or beauty, or proficiency or skill in any art. These, together with prisoners of war, were sent to the court of the Grand Seignor. No pacha returned from any expedition, without bringing a present for the sultan of handsome Christian boys, who, though they were for the most part natives of those originally Christian countries, which had been conquered by the Turks, were sometimes brought from Poland, Bohemia, Russia, Italy, and Germany. The individuals thus collected were divided into two classes. Those who belonged to one of these classes were educated by the peasants of Asia Minor in the Mahometan faith, or employed as menial servants in the sultan's seraglio; while the members of the other class, which consisted of the most promising, were placed in the seraglios of Adrianople, Galata, and Constantinople, where they were taught to read and write by teachers, whose compensation

amounted to eight aspers (about six cents) a day. If public education be valuable in proportion to its cheapness, nothing can be more meritorious than the Turkish system of instruction.

At a certain age, these youths, for they were generally such, were circumcised, which ceremony being performed, those who had been engaged in menial occupations were enrolled as Janissaries, and those, who were educated in the seraglio, were made sipahis: not, however, sipahis with a fief, but of that number, who were paid by the sultan, and attended him as a mounted body-guard. The latter were sometimes elevated to the highest offices of the government.

The members of both these classes were subjected to the severest discipline. It is stated in a *relazione* of Sorranzo, that the menial class were instructed in all military arts, and taught to endure the extremity of abstinence and privation. At night, they slept together in a long lighted hall, where they were watched by a vigilant inspector, who hardly permitted them to move. At a later period, when they were enrolled as Janissaries, they were lodged in barracks resembling convents. They were there arranged in separate *odas*, and cooked, ate, and slept together: in fact, most of their military dignities received their appellations from the kitchen and its dishes. Here, no law was recognised, but that of subordination and obedience. All were subjected to the strictest regulations, and the younger were compelled to respect and serve the elder. No one was ever permitted to pass the night without the barracks, and whenever corporal punishment was resorted to, the sufferer was required, with his head veiled, to kiss the hand of him, who inflicted it.

Those, who remained in the seraglio, were divided into classes under the control of eunuchs. Each of these classes was composed of ten members, who were regularly instructed in science and in military exercises for the term of three years, at the expiration of which they were permitted by the sultan to leave the seraglio. If they preferred to remain there, they were gradually advanced from *chamber* to *chamber*, according to their respective ages, until they attained perhaps one of the four higher offices of the *inner chamber*, from which station they might be promoted to the rank of a begler-beg, a *capitan-deiri* (admiral), or a vizier. Those, who chose to leave the seraglio, were admitted as members of one of the

four highest classes of the paid sipahi, and might be seen galloping out of the city, exulting in their new dresses, and gaily swinging the purses, which they had received from the sultan.

It will hence be perceived, that the institution of the Janissaries was only a part of a well-organised system of slavery, which answered perfectly the purposes for which it was designed. All the *relazioni* agree in extolling their valor, temperance, and admirable discipline. Busbeck, the Austrian ambassador at the court of Solyman, remarks, that they appeared to him sometimes to resemble monks, and sometimes statues; and that their dress, with the exception of the plume of heron's feathers, was extremely simple. Native Turks were uniformly excluded from their ranks, as was the case with all others, who had been brought up under the parental roof. By means of this singular institution, Christian boys, taken forcibly from their homes, or from convents and taverns, were raised to the highest dignities of a vast empire, while it served at the same time as a school of education for those soldiers, on whom the sultan always placed his principal reliance. Many victories were gained by their unaided exertions, and but for them the battle of Varna, which laid the foundation of the Ottoman greatness, must have been lost. They were accustomed to boast, that they had never been defeated, and Lazarus Schwendi, a German commander, who made several campaigns against the Turks, confirms the truth of this assertion. Nor were the effects of the system less striking in regard to the *sipahis*, and the other portion of those, who had been educated in the seraglio, and who were subsequently employed in civil offices. A single instance only, that of the noble Scanderbeg, occurred of the return of any of their number to the Christian faith. The Janissaries elected their Aga from their own ranks. There was no order of nobility to control their ambition, and prevent them from receiving the advancement due to their enterprise and valor. A field of action was thrown open to all; and they ceased to remember that they were merely slaves. It was by no means rare for Christians to forsake their own country and religion, in order to become slaves with them. Even the sultan, their absolute and only master, was not entirely independent of their will. Not even the son of a vizier, who had just been promoted from their ranks to that exalted station, could be added to their number. The sons of the sipahis and officers of government,—for the

Janissaries were not allowed to marry until a later period,—were compelled to enter the fifth and sixth divisions of the paid sipahi, or were made timarli, among whom, as we have already seen, the territory of the whole empire was divided. This corps of vassals was thus constantly recruited with new members, more deeply indebted, and consequently more devoted to the sultan, than the sons of timarli could have been.

We have thus attempted to describe a most singular institution, by means of which the support and defence of a vast empire was made to depend wholly upon foreigners and slaves, so enamored, notwithstanding, with their condition, as to fight with the utmost readiness and fury against their own countrymen.

The whole power of the Ottoman empire accordingly was vested in two bodies; first, in the timarli, who were native vassals of the sultan; and secondly, in those slaves, of whom the greater portion constituted the flower of the Turkish army, while the rest were employed in the capacity of civil or military officers. The very existence of both these bodies depended altogether upon a state of war. During peace, the sultan could bestow no new timars, and the corps of Janissaries were in danger of sinking into degeneracy. It was war, therefore, which laid the foundation of the Turkish power, and it was by war only, that this power could be preserved. Nor was it less essential to the sultan's personal security, whose vassals must otherwise have aspired to independence of their master. In fact, so thoroughly martial were the Turks, that the camp appeared to be their home; and at the period of their greatness, it is said to have presented a most imposing spectacle. Every thing was kept in a state of remarkable cleanliness and perfect order: neither swearing, quarrelling, drinking, nor gambling was permitted. Every sipahi was furnished with a tent. A horse was provided by the sultan to convey the baggage of every five Janissaries, and a common tent for the accommodation of every twenty-five. Their arrangement, discipline, and mode of living were as simple and rigorous in the camp as in the barrack, while the camp abounded with gold and silver, precious stones, splendid arms, the finest horses, and eunuchs. What a contrast to the turbulent and unruly mass of a feudal levy!

This warlike propensity was also cherished and confirmed by the Mahometan doctrine of predestination; while the pro-

hibition of the use of wine and ardent spirits, and the injunction of frequent bathing and ablutions were highly favorable to a military life. It is worthy of remark, that the Christians are uniformly called citizens and the Turks *askeri* (soldiers), when both are mentioned in the national decrees. In a system like this, which was exclusively military, and destitute of any common principle of union, it was also indispensable, that the sultan, the soul and centre of the whole, should himself be animated by a warlike spirit, and we find accordingly, that the power of the Ottoman empire began rapidly to decline, when the sultans ceased to be soldiers, and the situation of the neighboring countries rendered conquest no longer possible.

The same circumstances then, to which the greatness of the Ottoman empire is to be attributed, became subsequently the immediate causes of its decline. The influence of the Mahometan religion has been sometimes included among these causes. We are far from believing, that this religion is positively favorable to the progress of civilisation; nor do we conceive that it tends directly to obstruct it. It would be unfair to judge of the character of Mahometanism, from the exhibition of it, as it appears at this day, among the different nations of the east. The time has been, when the attainments of the followers of Mahomet in art and science were far greater than those of Christians, and when the personal character of the former was by far the most chivalrous and elevated. We allude to the Arabians of the middle ages. The Turks, from whom our ideas of Mahometanism are commonly derived, were long regarded even by other Mahometans as a rude and uncivilised tribe. The union of a civil code with the rules of religious faith in the Koran, is undoubtedly of pernicious tendency; and we know, that this religion has often been employed as an instrument to excite its followers to unjust and unnecessary war. In the Trumpet of the Holy War, to which we have already adverted, it is enjoined, that infidels must either be converted or subdued; and that, where they are obstinate in heresy, their extirpation is an act of holiness, which deserves the most exalted recompense in heaven. This book, however, is not, like the Koran, regarded as of divine authority and origin. It was translated into the Turkish language by order of Solyman II. for the use probably of the youth in his seraglio. The same sultan promulgated a code, called *multeka*, very similar to some of the papal bulls, in which war is earnestly recommended against all unbelievers.

In proceeding to give an account of the decline of the Ottoman empire, we shall in the first place speak of the character of the Sultans. The contrast between the predecessors and successors of Solyman has been often noticed. Prior to his reign, the Ottomans were animated by a spirit so gallant and chivalrous, that we read their history with feelings of admiration, rather than disgust; but the scene is suddenly and completely changed. The Sultans became indolent and voluptuous; internal discord followed; sons rebelled against their fathers; defeats were sustained on the frontiers and at sea; and the weakness of the whole system was at once revealed, when its rulers became incompetent to its direction and control. We will mention some particulars of the history of Selim II., the successor of Solyman, as an illustration of the remark, both because his example was imitated by many succeeding Sultans, and because several essential innovations were accomplished during his reign. Among these changes there was one of great importance. It might appear that the harem would destroy the warlike spirit of its master, but its voluptuousness is not very likely to attach men to domestic life. According to an ancient custom, the mother of the sultan's first-born son was entitled to the highest rank among the females of the harem. Solyman thought proper to violate this usage, by marrying a slave named Roxalana; and a singular narrative of this event is contained in a letter of the French ambassador Codignac. He tells us, that Roxalana was anxious to build a mosque for the salvation of her soul, but it was declared by the *Mufti* (chief-priest), that the pious acts of a slave operated only for the spiritual benefit of the master. To gratify her wishes, Solyman emancipated her; but the free Roxalana being somewhat less submissive to his passion than before, and the *fetva* of the Mufti having determined that she could not become so without sin, he at length married her and settled upon her a pension of five thousand sultanas. The ambition of the lady was not yet satisfied; for she instantly requested Solyman to appoint her son Selim his successor, to the exclusion of Mustapha, his elder son by a different mother, who was much esteemed by the Turks. Upon receiving information of this, Mustapha withdrew from Constantinople; but was immediately denounced as a rebel by his father, who pursued him into Asia, and ordered that he should be put to death. Bajazet, a son of Roxalana, fell also by the hand of

Solyman's executioner, according to a Turkish custom, which requires that all the sultan's younger brothers must be destroyed, when he ascends the throne. Roxalana's projects of ambition were accomplished; and her son Selim was the first in the series of inefficient and degenerate sultans.

During the reign of Solyman a law was abrogated, which exempted the Janissaries from the performance of active military duty, except when they were commanded by the sultan in person. The effect of this change became very obvious in the reign of Selim. Formerly, the sons of the sultan accompanied their father to the field, or were intrusted with the conduct of military operations; and some of the most important conquests had been effected by their ability and valor. From this period, they were banished from the court and the camp, and placed under the charge of a pacha in some remote province, until at last they were actually confined in prison, until the very hour of their accession to the throne. The supreme command must then have fallen into the hands of an individual, who had been during his life deprived of personal liberty, and who, when suddenly elevated to the absolute command of millions of men, must have been intoxicated by the possession of unrestricted power.

In the beginning of his reign, Amurath III., the son of Selim, appeared to be studious, temperate, and manly, and not averse to the hardships of a military life. The following story is related of this prince, in one of the *relazioni*. It has been already mentioned, that a custom of the Turks required every sultan, when he first assumed that dignity, to put his brothers to death. This usage was not of very ancient date; since the brothers of Osman are known to have accompanied him to the field. Amurath, being of a mild and merciful disposition, was anxious to provide for the safety of his brothers before taking possession of the throne; and with this view consulted with his *Muellim*, his Mufti, and other learned men. So persuaded were they, however, of the necessity of the sacrifice, that his arguments were wholly ineffectual; and he yielded only after he had disputed with them on the subject for the space of eighteen hours. He then summoned the chief of the mutes, and, pointing to the corpse of his father, gave him nine handkerchiefs for the purpose of strangling all his brothers. As he delivered them he wept. It is farther related of him, that he once inquired, after the history of his father had

been read in his presence, what war would be attended with the greatest difficulty? 'War with Persia,' was the reply. 'That,' then rejoined Amurath, 'is the war, which I shall undertake.' But the character of this monarch underwent subsequently an entire change. He soon began to betray a strong aversion for warlike exercises and the chase. The strength of his ruling passions, avarice and voluptuousness, were developed in the seclusion of his palace, where he lived surrounded only by his mutes, dwarfs and eunuchs. By the indulgence of the last of these passions, he destroyed his health; and in regard to the degree in which he was governed by the other, it is said by some of the European ambassadors, that he caused a subterraneous cell of marble to be constructed, in which he annually buried two millions and a half of piastres; and that he melted and coined the golden ornaments of ancient works of art, in order to deposit them in the same cell, the door of which was concealed by his bed. Offices became venal; and nothing but liberal presents could secure his favor. When his audiences were concluded, at which those who brought him the most magnificent gifts were noticed only by an indolent nod, it was his custom to retire to his gardens, where his principal amusements were mock battles with his deformed mutes, singing or dancing women, or lascivious comedies performed by Jews.

Ahmed, who was a sultan of manly and benevolent character, began to reign in 1603, in the sixteenth year of his age. Though his ambition appeared to have been excited by the achievements of Solyman, he effected no enterprises of a warlike character. In fact, no occupation, or pleasure, had power to fix his attention long, and none of his many plans were ever completely executed. His successors, with the single exception of Amurath IV., were men of inferior capacity. That sultan at first gave much promise of talent and strength of character, but subsequently became stern and cruel. In the space of five years, twenty-five thousand persons were put to death by his order, or with his own hand. He attempted to restore the discipline and efficiency of the Janissaries, who had lost much of their former superiority; but his exertions were ineffectual; while, by allowing to Mussulmans the use of wine, besides violating a positive injunction of the Koran, he encouraged disorder and licentiousness among a people, who could be controlled only by rigorous laws.

The *Veziri-Aasam*, or Grand Vizier, who was in reality, as he was sometimes denominated, master of the empire, occasionally supplied by his talent and vigor the want of those qualities in the sultan. During the reign of Selim, the government was administered by Mehmed, by birth a Bosnian. This most able and excellent Grand Vizier received the rudiments of early education in the family of his uncle, a christian clergyman of Java, but was placed while still young in the seraglio of the Grand Seignior, where he was brought up according to the rules of the institution, an account of which has been already given, until he was preferred at length to the highest offices of the empire. The ambassadors have uniformly described him as active, just and liberal, averse to revenge and avarice, and not at all inclined to abuse his unbounded power. His decisions were always prompt and impartial, and the very meanest individual found as ready access to him, and as quick redress of his grievances, as the most exalted. Four days in the week he held a public divan for this purpose. He caused aqueducts, bridges, and public baths to be constructed in every part of the empire; and was particularly attentive to the establishment of caravansaries, where food was gratuitously provided for the weary traveller. From the fear of exciting the Sultan's jealousy, he erected no edifice in Constantinople, excepting a small mosque, in which his twelve children, who were put to death because their father was the son-in-law of Selim, were buried. His power was limited by Amurath III., the successor of Selim, in order to favor the viziers of the *Cupula*, who were subordinate to the Veziri-Aasam; but he succeeded in preserving the favor of three Sultans, until at length he was assassinated by a timarli, whom he had for some good reason doubtless deprived of his timar. With him, says Floriani, the virtue of the Turks was extinguished forever. The viziers became no less degenerate than the Sultans; and even those of benevolent disposition were compelled to sacrifice their good intentions to the caprice and avarice of their masters. Sinan, one of the viziers of Amurath, would sometimes present him with two hundred thousand zekins in order to secure his favor, while the Capudan Cicala openly declared, that he was compelled to resort to piracy, to find the means of making similar presents. The vizier was no longer selected only from among the slaves of the seraglio. Great calamities were also brought upon the people by the

frequent change of these officers. Extortion appeared to constitute their sole qualification. In fact, the whole system of government became little better than a vast system of extortion. Regardless of the proper business of their office, the viziers lived in a style of luxury and splendor scarcely surpassed by that of their masters; and their example was speedily imitated by all the inferior officers of the empire. All the true objects of government were utterly neglected. The name of ruler had no other meaning than that of a robber and disturber of the peace. Factions arose within the very walls of the seraglio; and the Kislar-Aga, chief of the black eunuchs, became a personage of great influence and dignity. In the mean time, the changes of the viziers became more and more frequent; for nothing more was required for their removal, than to send the executioner to them with a cord—an intimation, upon receiving which, it was the duty of the individual to whom it was addressed, forthwith to hang himself. This summary process was the approved Turkish method of reform.

So long as their ancient customs underwent no change, the Janissaries were almost invincible; but they also participated in the universal spirit of degeneracy, and became turbulent and ungovernable. About the time of Selim's accession, Mehmed, the Grand Vizier just mentioned, had obtained possession of Sigeth, a small fortress in Hungary; but having refused to allow the Janissaries the present, which was usually given when a new sultan was girded with the sword of Osman, they deserted him, and hurried back to Constantinople in a state of great disorder. They reached the city before Selim had arrived from Asia, and declared that the Sultan should not be permitted to enter the seraglio, until they should receive in addition to the customary present, a promise of increased pay, and permission to enrol their sons as members of their body. All efforts of the viziers to induce them to return to their duty, were wholly unavailing. In vain did their Aga throw himself into the midst of them, with the handkerchief, the instrument of execution, bound upon his head. The gates of the seraglio were not opened, until all their requisitions had been complied with. This was the first in the series of those revolts and massacres of the Janissaries, by which so many Sultans subsequently perished. Thenceforth, like the prætorian guards of Rome, they became the absolute controllers of the succession to the throne. The sword of Osman had hitherto descended

regularly from father to son; but they chose to confer the sovereignty on Mustapha, the brother of Ahmed, whose life had been spared by the latter, because, being an idiot, he was regarded among the Turks as an oracle. Shortly after, they deposed Mustapha and called Osman, Ahmed's son, to fill the vacant throne; but being soon dissatisfied with their new Sultan, they dragged Mustapha, who had been confined in a subterraneous cavern, forth again to light, and at once restored him to his former dignity. But this strange ruler was destined to experience a repetition of his former disaster; being deposed a second time, and compelled to surrender his authority to Amurath IV., the second son of Ahmed, who succeeded in setting his benefactors at defiance by his relentless cruelty, and by the murder of their chief. As a military corps, however, the Janissaries were at this time far less efficient and powerful than at any former period. In addition to the change of their ancient customs, to which we have already adverted, they were permitted by Ahmed to engage in commerce and the mechanical arts; until at length they became the laughing-stock of Christian armies. The forcible capture of Christian boys was abandoned as early as the middle of the seventeenth century, very fortunately for the Greeks, whose struggle for independence must have been delayed much longer, if their finest youth had continued to be torn from them and placed in the seraglio.

Native Turks began now to be admitted to the highest dignities, and the habit of blind obedience was gradually abandoned. Every subject is supposed to be the slave of the sultan; but there is a wide difference between the subjection of a native Turk, and of a pupil of the seraglio. The sipahi, after the admission of the Turks into their ranks, became like the Janissaries, turbulent and factious. In 1589, they compelled the Grand Seignior to reinstate Sinan, who had just been deposed in the office of Grand Vizier. Nor was the degeneracy of the timarli less rapid in its progress. The timars, which had been originally granted to the sons of sipahi only, were bestowed upon many others. Like the sultans, pachas and sandgiacks gave them to their favorites, or sold them to the highest bidder. The obligation to maintain a certain number of horsemen, and to exercise themselves in the use of arms, was entirely disregarded. Aini, a feudal officer of Ahmed, complained most bitterly of these abuses. He declared, that reviews

of the sipahi were abandoned; that a sandgiack, bound to maintain a hundred horsemen, actually maintained hardly fifteen; and that no more than a tenth part of the enrolled number, ever made their appearance. In the reign of Selim II., Nasut, his Grand Vizier, fell into disgrace in consequence of his efforts to reform these abuses. They were in the first instance owing to an innovation made by Solyman, in bestowing timars upon the sons of foreigners. All these different institutions had been formerly kept separate with the greatest care, and when this ceased to be the case, they soon lost all their efficiency and character.

We have thus given a brief sketch of the decay of those institutions, on which the greatness of the Ottoman empire was founded; and singular as the fact may appear, this decline may be traced as far back as the reign of Solyman, whose power exceeded that of any other contemporary sovereign. It was then that the women of the harem first began to exert an influence in the management of public affairs. It was by his appointment, that the sceptre passed at his death into the hands of the least efficient of his sons. The changes made by him in the feudal system were important and numerous. With his reign, the progress of Ottoman conquest was arrested. He had already carried his victorious arms into Persia in the East, and as far as Vienna in the West; and the valor of Barbarossa had rendered him master of the Mediterranean. But a sad reverse awaited his successors. The Persians, though far inferior in power and numbers, supplied their defect of power by their veneration for the Shah; and resorted against the Turks to the same experiment of laying waste their country before the enemy, which has more recently been employed by the Russians against a modern despot, while in the West, the advances of the Ottomans were checked by the energy and vigor of the House of Hapsburg. Their attempts to capture Malta were unavailing. It cost them prodigious efforts to reduce a few small castles in the Austrian part of Hungary; and their maritime power was broken by the defeat which they sustained at Lepanto in 1591, a blow from which their navy has never yet recovered.

It was the natural effect of the institutions which we have mentioned, that the Turks remained a peculiar people, distinct and separate from the inhabitants of the countries, which they overran. In fact, they were never really established in

those countries, as the Germans were in Courland, or the Normans in Great Britain; but resembled rather a garrison, or an army of occupation. Far from imitating the industry of those countries, they endeavored to destroy it. Instead of advancing in civilisation themselves, they obstructed the progress of every subject nation. They of course experienced no sympathy or support. They were regarded only in the light of inexorable and oppressive masters; and they were secure only so long, as the oppressed could find no means of effectual resistance; so long only, as they continued to be united, well-disciplined and vigilant. Neither the constitution of the empire, nor the character of the Turks, were at all favorable to the progress of civilisation, even among themselves. It is true, that they have been frequently pronounced by travellers, among the rest by Lord Byron, to be better than the Greeks; and we have some personal knowledge of the correctness of this assertion. Nor is this surprising. Where oppression has been long-continued and severe, the spirit of the master is always loftier and more generous than that of the slave.

We intended only to give a brief outline of the causes of the decline of the Ottoman empire; and the task would be by no means uninteresting of tracing the history of that decline down to the period, when the present Sultan Mahmud II., attempted to introduce many European improvements and modes of organisation. The corps of Janissaries, as is well known, was dissolved if not destroyed by him in 1826. What would have been the natural effects of this measure, it is useless now to conjecture. This fact at least is certain, that the Turks were never less powerful than at the moment of the late invasion; and their imbecility appeared so much the more striking, from having been previously in a great measure concealed by that envy and jealousy, which induced several of the European powers on all former occasions of the kind, to uphold and strengthen them, and to arrest the progress of their assailants.

ART. III.—*Catalogue of the Pictures exhibited at the Fourth Exhibition in the Gallery of the Boston Athenæum.* Boston. 1830.

The community are in our opinion deeply indebted to the proprietors and trustees of the Athenæum, and especially to the public-spirited and intelligent gentlemen composing the committee employed for this purpose, for their unwearied and very successful exertions to organise an annual exhibition of paintings in this city. A spectacle of this kind, continued for a series of years, and afforded at a price, which places it within the reach of almost every citizen,—while it furnishes a cheap, rational and elegant entertainment,—serves at the same time to refine and exalt the character of the people. Painting—like eloquence, poetry, and the other fine arts—is one of the developments and exhibitions of the higher and better principles of our nature. The cultivation of the art, and the habit of seeing and admiring its products, tend in connexion with other causes to raise the mind above the sordid interests of a merely material life. It has often been said—and probably with truth—that the peculiar grace and softness of manner, which distinguish the Parisians of all classes, have been derived in part from the effect of a frequent contemplation of the treasures of art contained in the Gallery of the Louvre. The poet Goethe mentions as one of the means which he employed for maintaining his taste and talent in a progressive state, that he had crowded his study with the finest specimens of sculpture and painting, which he could procure. Nor is the advantage confined to an amelioration of the mere external forms of social life or a heightening of the aptitude for excellence in other branches of art. The taste for Beauty in art and nature is nearly allied to the love of Good—so nearly indeed, that it has often been doubted whether Beauty be any thing more than a visible manifestation of those amiable moral qualities of which the mere idea fills the heart with delightful emotions, and confers a charm on every person or thing with which they appear to be associated. However this may be, it is certain from experience, that a familiar observation of the beautiful forms of nature and the imitations or expressions of them in works of art, has the effect of cherishing the benevolent affections, repressing evil passions, and improving the general tone of moral feel-

ing. In a community like ours, where the disposition to active pursuits, and the selfish views and angry controversies that are naturally connected with them, is perhaps too strong—where the form of the government keeps up an almost uninterrupted war of political parties—it is highly important that every principle of a soothing and civilising tendency should be brought as much as possible into vigorous action. The cultivation of the arts, if not the most effectual of these principles,—and we are not disposed to exaggerate its influence,—nevertheless has its value. It comes in aid of the great and essential elements of civilisation, which are found in a judicious system of political and religious institutions, and gives the last polish to the character of men and nations. Nor is it any objection to the encouragement and cultivation of the arts, that they may be and have been made subservient to the purposes of vice. If it were, we should be obliged to abstain from the use and enjoyment of all the good gifts of nature. It may also be remarked, that in a young and progressive community like ours there is very little danger of such a result. The abuse of art for the purpose of flattering licentious passions is always a symptom of its decline, and indicates rather than produces a corrupt state of moral feeling. While the condition of society is healthy, and the arts are flourishing, the artist is in general found to be endowed with a pure and 'excellent spirit.' Art is then like the Archangel in Milton's Poem—

Severe in youthful beauty.

She draws her inspirations from the high and holy sources of religion, and dwells in preference on subjects connected with serious contemplations. The artists of the age of Leo X. rarely employed their pencils upon any other than scriptural scenes; and this very circumstance is doubtless one among the causes of their extraordinary success. They rejected with unerring instinct, rather than on fixed principles or from any calculation of probable effect, every low idea as inconsistent with the train of their habitual studies, and such must ever be the case with those who have actually attained or are capable of rising to real excellence. We may add, that experience fully confirms the opinion, that in this country there is very little danger of the abuse of art. In painting—and the same may be said of the sister arts of eloquence and poetry—the prevailing style and the only one which meets with any

public favor is of the severest cast. This circumstance, independently of its other beneficial effects, may be looked upon as one of the most flattering prognostics of the progress which the arts will probably make among us. The only important exception to the uniformly pure and correct character of all the products of art in this country is to be found in our theatrical entertainments, which have hitherto been merely copies of the worst models that are furnished by the corrupt societies of the old world. If the managers of these entertainments would try the experiment of making them—as they might be made—schools of good feelings and principles, instead of nurseries of vice, they would soon find in the increased patronage bestowed upon them, the difference between obeying the just demands of the public sentiment, and treating them—as they now do—with continual and systematic outrage.

The exhibition of this year was not perhaps quite equal to some of the preceding ones. It contained, however, a considerable number of first-rate works of the old masters, several beautiful copies of originals in Europe, and a variety of excellent native productions in the different walks of this enchanting art. We propose to offer a few remarks upon some of the pieces which more particularly attracted our attention. It is impossible in a single article of this kind to exhaust the subject, and we shall not be understood to intimate that other pieces may not be equally or perhaps better entitled to notice. In making a selection, we must of course prefer those in which we felt the deepest interest, although this interest may have been in some cases the effect of accidental and local causes.

Among the works of the old masters exhibited on this occasion, the most remarkable was the *Martyrdom of St. Lawrence*, by Titian. This large picture, belonging to Mrs. Meade of Philadelphia, is an undoubted original, in the best manner of that great artist, and in a state of complete preservation. It exhibits in full perfection the beauty, mellowness, and perfect truth of coloring, which formed the characteristic excellences of Titian, and in which he has never been surpassed. In the moral expression of his personages—the highest effect of the art—his superiority in this, as in his other works, is less decided. It is even somewhat difficult to determine precisely what expression he intended to give to his principal figure. St. Lawrence—as our readers will of course recollect—suffered martyrdom in the not very poetical form of being broiled

to death upon a large gridiron. In the picture of which we are speaking, the Saint is stretched at his length on this instrument of torture over a blazing fire, which two or three executioners are engaged in stirring and feeding with fuel. In the legend the gridiron is said to have been heated red hot before he was placed upon it. In the painting, there is, however, no effect of fire observable, either on the person or drapery of the martyr, and his face is turned upward with a perfectly serene and tranquil expression. It was probably the design of the artist to intimate by this expression, the triumph of religious faith and hope over bodily anguish; but it is hard to conceive that the effect should extend so far as to guarantee the limbs and even the drapery from the action of fire. It would be therefore more natural to imagine that Titian meant to indicate a supernatural interposition in favor of the Saint, like that which is represented as having taken place at the martyrdom of St. Polycarp, when the flames that were kindled at the foot of the stake to which he was attached, retired as they rose from the person of the holy man, and formed a sort of hollow sphere around him, refusing even to singe a hair of his head. But it is hardly probable that Titian would have varied from the legend, which states that St. Lawrence actually suffered death in this form; and we may therefore conjecture that he probably sacrificed the truth of his painting, in order to avoid the exhibition of the disgusting image of mere physical suffering. In other respects, the image of nature is admirably preserved. The ferocious countenances of the executioners contrast finely with the sweet expression of the suffering Saint. The figures are well drawn and grouped, and the painting wears in every part the appearance of a carefully wrought and highly finished production.

This fine picture was purchased in Spain by Mr. Meade, formerly our Consul at Cadiz, and was no doubt painted at Madrid, where Titian resided for several years. Although the subject is in some respects not a very seducing one, he appears to have painted it a number of times. We have had the pleasure of seeing another picture of his on the same subject, though varying a little from this in the details, in the Chapter-House of the Convent of the Escurial, and we are informed that there are two or three more in existence. The first was probably executed for the purpose of being placed in the Escurial, the subject having been selected with a view to this

destination. This convent, as our readers are probably aware, was erected in honor of St. Lawrence.—Its proper style and title is the Convent of the Royal St. Lawrence—*San Lorenzo el Real*—the name *Escurial* or *Escorial*, as it is written in Spain, being that of a neighboring village, and, as is generally supposed, a corruption or modification of the word *scoriae*, which expresses the cinders and rubbish proceeding from a mine that was formerly wrought on this spot. It is well known that Philip II. before going into the battle of St. Quentin—which was fought on St. Lawrence's day—made a vow that if he gained the victory, he would erect a convent in honor of the Saint, and in the shape of the instrument on which he suffered martyrdom. Having in fact won the day, the King, or rather the ingenious and justly celebrated architect Herrera, whom he employed, not only executed this vow to the letter, but contrived at the same time to produce a building, which is justly considered as one of the finest specimens of modern architecture. It would be hard to imagine beforehand how so handsome an edifice could possibly be built upon a model apparently so ill adapted to the purpose ; but the architect by a happy exertion of ingenuity, similar to that by which Columbus succeeded in setting his egg upright upon its smaller end, removed at once the principal difficulty, by turning the gridiron upon its back with its legs upwards. The achievement was now comparatively easy, and the building to be erected susceptible of a high degree of architectural beauty. It is constructed of a handsome reddish freestone, in the form of a hollow square, the four sides of which are connected together by several lines of buildings crossing each other at right angles, and enclosing a number of small courts. The four sides represent the frame, and the interior buildings the bars of the machine, while at the points where they intersect each other, and at the four corners of the main edifice are placed towers, which represent the legs. From the side opposite the main entrance projects a wing, which forms the handle. This wing with a part of the side of the main edifice adjoining it, is occupied by the Court when they take up their residence at the Escurial. The remainder of the building consists of the large and truly magnificent church, two libraries, and the public and private apartments appropriated to the use of the monks who inhabit the convent. One of the libraries contains the collection of Arabic Manuscripts, which is considered the richest in Europe.

We found on inquiry, that there is at present no person in the convent who reads that language. The exterior of the building is decorated with great taste, and the general appearance is simple, imposing, and on the whole highly satisfactory. It stands on the declivity of a mountain; and at a considerable height above is a stone seat—called Philip's Seat—where the interior courts are distinctly seen, and the gridiron principle of the plan becomes apparent in all its beauty. On this seat the gloomy despot who ordered the construction of the building was accustomed to repose in his solitary walks, and contemplate, no doubt with great satisfaction, the complete success with which he had executed his pious and somewhat singular design. The interior of the convent is adorned throughout with the choicest productions of the pencils of the first artists. The principal stair-case was decorated by Jordaens, and is considered his finest work. The cloisters were painted in fresco by a celebrated Spanish artist, called from his having been dumb, *El Mudo*. The public apartments are hung with the masterpieces of Raphael, Titian, Rubens, Murillo, Velasquez, and the other principal painters of the Spanish and Italian schools. In the sacristy is to be seen among other beautiful pieces a celebrated Holy Family, by Raphael, which on account of its singular perfection, is commonly called the *Pearl*, and which was purchased for the King of Spain by his Ambassador at London at the sale of the paintings of Charles I. In the Chapter-House is the *Madonna de la Pez*, or Virgin with the Fish, by the same great artist, which is reckoned in like manner one of his capital pieces. The subject is singular, and if taken literally involves a good deal of anachronism. The young Tobias of the Apocrypha, holding a fish in his hand by a line, is presented to the Virgin. She is seated as usual with the infant Jesus in her arms, who is eagerly extending one of his hands to grasp the fish, and with the other is playing with the leaves of an open bible, which St. Jerome is perusing on the left. The painting is commonly supposed to be an allegorical representation of the admission of the Apocryphal books into the Canon of Scripture by the Council of Trent. This piece, with the *Pearl*—the *Pasmo di Sicilia*, now in the museum at Madrid, by the same artist, which was painted as a companion-piece to the *Transfiguration*, and is considered next to that as his best production—and a number of other pictures, was transported to Paris during the period of the French ascend-

ency in Spain, and exhibited for several years in the Gallery of the Louvre. They returned after the abdication of Bonaparte, varnished and *restored* in a way, which has not been thought by competent judges to increase their value. In the same apartment with the *Madonna de la Pez* is the *Martyrdom of St. Lawrence*, by Titian, which has led us into this little digression. It is not in so fine a state of preservation as the one which was exhibited at the Athenæum, having suffered a good deal of late, in common with many of the other pictures in the Escurial, from want of attention. It still, however, produces great effect.

Among the other paintings of Titian preserved at the Escurial, is a remarkable piece commonly called *Titian's Glory*, which did not obtain the dangerous honor of a transportation to Paris, and consequently exhibits at present the real touches of the masterly author in a state of greater purity than it would have done if it had undergone a reparation by a modern French painter. The hint of this superb picture seems to have been borrowed from the *Transfiguration* of Raphael, and the general aspect of it is somewhat similar although its subject is wholly different. The painting exhibits the various orders of the heavenly host in the act of adoring the Supreme Being. The three persons of the Holy Trinity, drawn with their usual attributes, dressed in sky-blue drapery and surrounded by a *Glory*, which gives its name to the painting, occupy the upper part of the canvass. They are nearly in the attitudes of the three principal figures in the *Transfiguration*. Below are the saints and angels—'Dominations, Princedoms, Virtues, Powers'—gazing upwards with adoring looks at the object of their worship. The subject of this picture is conceived in a loftier tone of thought and feeling than that of any other piece of Titian's, which we have seen, and the execution does it perfect justice. The work, however, does not seem to have been fully appreciated by its present possessors. It now hangs without a frame in a small room, which serves as a sort of passage from one part of the convent to another, but which contains, it is true, some other very fine pieces. It was probably owing to its being kept in this comparatively obscure place that it was not carried to Paris. In the same room is an exquisite *St. Catherine* by the same artist—a single figure in a green drapery, discovering one leg and foot, which have often been cited as models of perfection for this part of the

female form. There is a repetition of this charming piece in the museum at Madrid, where there are also a number of other fruits of the labor of the same indefatigable and prolific genius while in Spain. We may mention particularly the portrait of Charles V. on horseback, the *Danaë*, the *Ariadne* and the two full length portraits of the Princess of Eboli, sometimes called the *Venuses*, from their being entirely without drapery. This celebrated favorite of Philip II. figures to more advantage under the pencil of Titian than she does under the pen of Schiller, who has introduced her as one of the characters in his tragedy of *Don Carlos*. It is rather a singular circumstance, that with no recommendation but mere beauty she should have had the fortune to be handed down to immortality by the separate labors of these two masters in their respective arts. In all these pieces the art of coloring—especially in its application to the human body—is carried to the highest perfection which it has ever attained or is probably capable of attaining. We well remember the air of satisfaction with which the distinguished Scotch artist Wilkie, with whom we had the pleasure of going through the museum at Madrid, pointed to the figure of Ariadne, and pronounced it a piece of real flesh and blood. For this reason the works of Titian are excellent studies, more especially at a time when the example of the modern French school has a tendency to diffuse a false taste in this branch of the art. We are highly gratified that so fine a work of this great colorist as the one we have been considering should have been obtained for the Exhibition, and only regret that the funds of the Athenæum were not in such a state as to allow of its purchase. It is true, that the subject is not so attractive as might be wished; but it is rare that a first-rate painting by this great master is for sale even in Europe, and a century may probably elapse before another opportunity will occur for procuring one in this country.

Having had occasion to advert to the collections of paintings that are found in Spain, we proceed in this connexion to mention, as one of the principal ornaments of the Exhibition at the Athenæum Gallery, the fine picture, by Murillo, of the *Meeting of Rebecca and Abraham's Servant*. This we are happy to say belongs to the institution, and has of course appeared at the preceding exhibitions, but is well worthy of continued notice and attention. It is not indeed by any means so

good a specimen of the manner of Murillo as the *Martyrdom of St. Lawrence* is of that of Titian; and it also appears to have suffered some injury, but it is nevertheless an undoubted original, and has much of the sweetness, grace and truth to nature that characterise the best of the author's works. Under the head of this picture we find in the Catalogue the following remarks.

'Bartolomeo Esteban Murillo was born in 1613, and died in 1685. He showed a very early inclination for painting, and received instruction from his uncle, Juan del Castello, and afterwards from Velasquez. He was employed by the King of Spain to paint several historical pictures, but his favorite subjects were beggar boys in various exercises and amusements. His coloring is mellow, his tints clear and skilfully opposed by proper shadows. His pictures are in great esteem throughout Europe, but few of them have reached this country. This picture has been much injured. Its great merit is, however, apparent, and has been appreciated by the community.'

This brief notice, though in the main correct, and perhaps as complete as it could be made consistently with the limits of a Catalogue, hardly does justice to the extraordinary merit of the great artist in question. Although his works are, as is remarked in the Catalogue, in great esteem throughout Europe, they are nevertheless not so generally known and valued even there as they would be were they more favorably situated for the observation of artists and travellers of taste. They were all painted in Spain. Very few of them have found their way into the other parts of Europe; and as Spain has been for a century past entirely out of the regular line of travel, whether for business or pleasure, the treasures of art, which are contained in the Spanish collections, have been sequestered, as it were, from public view. Hence the names of Murillo, and his master Velasquez, are much less familiar to the European public than those of many Italian and Flemish artists of inferior merit. Several fine works were, however, carried to Paris by the effect of the late political movements, and the engravings that have recently been published at Madrid of the paintings in the museum have made them better known abroad than they were formerly. We were informed by Wilkie that the Spanish painters Murillo and Velasquez were very inadequately appreciated in England, and that he had himself no idea of the extent and value of their productions until he

met at Rome with the collections of engravings to which we have just alluded, and which afforded him so much satisfaction that he immediately determined on a visit to Spain for the express purpose of seeing the originals. The high expectations he had formed of them were entirely equalled, if not surpassed, and his correspondence on the subject with the late President of the Academy will have contributed much to rectify the opinions of the British artists on this subject, and to give a new idea of the merit and richness of the Spanish school.

From the tenor of the above extract it would be natural to conclude that low life was the favorite walk of Murillo, that he had deviated into the historical department in compliance with the wishes of the king, but that his success in this branch had been less remarkable than in the other. This idea of the nature of his talent is, however, incorrect. Like all the artists of his time, he painted principally for churches and convents, and of course on scriptural subjects, from which every allusion to low life is necessarily excluded. His acknowledged master-piece is a large picture in one of the convents at Seville, on the subject of *Moses striking the Rock*. This grand work has been thought by many competent judges to bear away the palm from the *Transfiguration*, and is admitted by all to be one of the noblest efforts of genius in existence. His taste was, however, undoubtedly for grace and sweetness rather than sublimity, and he accordingly excelled in his Holy Families—a favorite subject with him, as with all the painters of the day. There is one in particular in the museum at Madrid of pre-eminent beauty, in which the Virgin is represented as in a sort of extacy, with one foot resting on the crescent moon,

'With eyes upraised, as one inspired,'

robed in a flowing blue and white drapery and surrounded by a glory that fills the back ground of the picture. For truth of drawing, spirit and felicity of composition, and a peculiar brilliancy and charm of coloring, the manner of Murillo in this and his other best pieces could not well be surpassed. His figures have been thought to want in some degree the high intellectual expression that distinguishes those of the great masters of the Italian school, and which is no doubt the loftiest attainment to which genius in the art can aspire. Had he combined this with his other excellences he would

probably have excelled most other modern painters. The faces of his Virgins are said to have been copied from that of his daughter. They have a charming simplicity and sweetness of expression, inclining, however, to childish weakness rather than to the poetical elevation, which must naturally be supposed to form the other ingredient in the character. Murillo was uncommonly happy in his delineations of boys, but they were by no means always placed, as might perhaps be imagined from the above extract, in situations connected with common life. His two separate pictures of the *Infant Saviour* and the *Infant Baptist*, in the museum at Madrid, are among the most exquisite productions of his pencil, and surpass perhaps any other work on a similar subject, unless we except the *Young Samuel* of Sir Joshua Reynolds, which seems to realise the idea of absolute perfection. But though the talent of Murillo was not confined to the delineation of common life, it is nevertheless true that he greatly excelled in this as well as in the higher walks of his art. *The Pet Kitten* of the Exhibition is a specimen of his manner in this line, but, if an original, is not one of his best pieces. In a large picture, in the Academy of the Fine Arts at Madrid, representing the exercise by Isabella, Queen of Castile, of the faculty formerly supposed to be inherent in all royal personages, of curing by the touch certain cutaneous diseases, the artist has combined, injudiciously perhaps, the expressions peculiar respectively to high and vulgar life. The Queen, surrounded by her court, and with the air of dignified solemnity and deep interest, which would naturally accompany the use of her miraculous gift, is washing the head of one little urchin, while another, who stands by the side of the basin waiting for his turn, affords himself a temporary relief by scratching with both hands, and displays an irresistibly comic expression of countenance. This piece, though, as we have intimated above, defective in its plan, is in point of execution one of the most successful and perfect of Murillo's works.

It is remarked in the Catalogue that but few of the works of this artist have reached our country. There are some in the collection of the Academy of the Arts at New York; but the best on this side of the Atlantic is probably the *Roman Charity*, in the collection of the Academy of the Arts at Philadelphia. This was purchased by the Academy of our countryman Mr. Rich, formerly our Consul at Valencia. While in his

possession it had suffered some alteration from the effects of the rather exaggerated delicacy of a contemporary Spanish artist of considerable merit, named Lopez, now chief painter to the King of Spain. In the picture, as it came from the hands of the artist, and into those of Mr. Rich, the neck and breast of the female figure, who, agreeably to the well-known anecdote, is represented nursing her father in prison, were discovered. There seems to be little in such an exhibition at which the purest mind need to be alarmed. The scrupulous Spaniard, however, took it amiss, and resorted to a very summary process for abating the nuisance. He had prevailed on Mr. Rich to lend him the picture for the purpose of studying it at home, and while he had it in his possession, without consulting the owner, very kindly supplied the fair Roman with a handkerchief from his own pallet. In plain English, he coolly set himself to work and painted over the bust of the female figure with a sort of shawl or mantle, apparently without reflecting whether something were not due to his neighbor's right of property as well as to what he doubtless considered a just delicacy. We have not had much opportunity to examine this picture in detail, but have been informed by Mr. Rich that it is in the best manner of the artist. Its actual value is perhaps a little diminished by the injudicious *reform* to which we have alluded; but it will probably attract hereafter more rather than less attention from having been the subject of so curious an anecdote.

Velasquez, the master of Murillo, is less known beyond the limits of his own country, than his great pupil, but is generally regarded by the Spaniards, and by such other persons as have had the opportunity to appreciate his merit, as being, in some respects at least, the superior artist. For truth to nature in drawing and coloring, his works may be considered as approaching the point of actual perfection, and they would form the best possible study for such proficients in the art as were in danger of being seduced by the false brilliancy of the modern French school. We must confess, however, that in our judgment Velasquez errs a little on the other side, and that his coloring, though admirably fresh, distinct and true, is rather cold. In the Catalogue of the Paintings in the museum at Madrid the manner of this great artist is described in the following terms.

'Velasquez possessed a genius for painting of the very first

order. He united a brilliant imagination and a singularly correct judgment with great industry. The beauty and felicity of his drawing are admirable; and his coloring, while it is perfectly true to nature, has a peculiarly seductive grace. What harmony and correctness in his landscapes! The illusion is there so perfect that we can hardly realise, at a little distance, that we are viewing a picture and not the thing itself. No artist ever understood better the effect of light and that aerial perspective which regulates the size and hue of objects according to their distance. In short, he had improved his strong natural talent for the art by the most careful and judicious course of study and practised it with complete success in all its parts. It may be said with safety, that there was more truth in his coloring and more firmness in his drawing than in those of even Titian. The means employed are seen more distinctly on a near examination without the least diminution of the general effect at the proper distance.'

The museum at Madrid is rich in the works of this great artist, which consist principally of historical pieces and portraits. Among the latter may be noticed particularly those of Philip IV. and his Queen Doña Mariana of Austria, under whom he flourished, and those of their son the Infante Don Baltazar Carlos, and of the celebrated Count-Duke Olivares—the two last on horseback. A portrait of one of the Princesses of the royal family, daughter of Philip IV., is even more remarkable, and is thus described in the Catalogue.

'This is a portrait of the Infanta Doña Margarita Maria of Austria, daughter of Philip IV., receiving a glass of water from one of her ladies. In the list of the spectators is the artist himself with his pallet in his hand taking the portrait of the Princess, and on the right are the two dwarfs Nicolas Pertusano and Maria Barbola, who are endeavoring to amuse her and are playing with a favorite dog. This picture is admirable for the correct drawing and ingenious composition, but especially for the wonderful effect of light. The apartment seems to be filled with a kind of vapor, which surrounds and removes all the objects that require to be represented as more distant. It is a singular proof of the talent of Velasquez, that he succeeded in placing in the middle of the piece an open door, admitting a light so strong that it brightens the door, the staircase behind it, and the person who is going out,—the whole executed with perfect truth and yet without injuring the general

effect. This picture is a sort of miracle in the way of perspective, both aerial and linear. It was called by Giordano the *Painter's Bible*, (*La Teologia de la Pintura.*)'

Among the history pieces of Velasquez in the same collection may be mentioned the *Surrender of Breda* to the Marquesses of Spinola and Leganes in presence of the armies of Spain and the Netherlands. 'This,' says the Catalogue, 'is one of the capital pieces of this artist. The plan is well conceived, the composition skilful, the drawing correct, the expression spirited and noble, the coloring rich and true, and at the same time so bold, that we may safely say that Velasquez alone could have ventured, as is done here, to introduce a mass of strong light between the Spanish army and the escort of the Flemish general. We admire the art with which he groups together the figures thus separated by the friendly attitude of the Spanish General throwing his arm over the shoulder of the Governor of the fort. The horse of Spinola is painted with extraordinary truth. In the back ground is a vast plain extending to the horizon. It is a low, moist country, corresponding with the real character of the scene of the action, and covered with burning castles and villages, which show too well the fatal consequences of war.'

A fancy-piece by the same artist, representing the interior of a carpet-manufactory, and commonly called *The Spinners*, (*Las Hilanderas*,) is considered one of his happiest efforts, and is thus described.

'In the back ground are some ladies looking at carpets. On the front of the picture is a woman spinning and talking with another, who is drawing a scarlet curtain. At a little distance is a girl carding wool. On the right of the spectators is a young woman winding yarn, whose features are not visible, although we may be sure that they are handsome from the beauty of her shoulder, and another, who has in her hand a sort of basket. This picture,' says the commentator, 'was painted off-hand, with a bold, free, and playful pencil. The skill with which the artist has harmonised the different lights, which he has introduced into it, is truly marvellous.'

We have been led to make these brief remarks on the general manner of Murillo and Velasquez for the purpose of turning the attention of the public to the merit of two great artists, who are not sufficiently known beyond the limits of their native land, and in the hope that opportunities may occur for

acquiring a greater number of their works in this country. We must now proceed, a little more rapidly than we have thus far done, in our survey of the paintings exhibited at the Athenæum Gallery.

Of the other original pieces of the old masters, may be mentioned particularly *The Laughing Boy*, by Gerardo delle Notti, which, as a mere specimen of effect in the disposition of light and shade, was undoubtedly by far the most powerful picture in the Exhibition. The artist, whose real name was Gerard Honthorst, obtained the one above quoted, by which he is usually known and which means literally *Gerard of the Nights*, or, according to the English idiom, *Gerard Night-Piece*, from his extraordinary talent for producing the effect of lamp-light. The two large paintings, representing respectively the fish of the Bay of Tarentum and of the Bay of Naples, from the collection of Joseph Bonaparte, though the subjects are not attractive, nevertheless afforded great pleasure from the spirit and truth to nature, which distinguish the execution. The *Jacob wrestling with the Angel*, by Domenichino, belonging to Mrs. Meade, is a valuable production of one of the most distinguished Italian masters. Domenichino, or *little Dominic*, as he has been affectionately denominated by the *dilettanti* of his country, was less prolific than some of his great predecessors and contemporaries. The extreme correctness and high finish of his pictures account in part for the comparative slowness with which he appears to have wrought. A *Seaport*, by Claude Lorraine, a *View of the Lake of Thrasymene*, by Vernet, and several landscapes with figures, by Salvator Rosa, furnished interesting specimens of the manner of their respective authors. The Vernet, in particular, was a very beautiful landscape. We may also mention as among the most remarkable old pictures, the *Joseph and his Brethren*, by an unknown master, the *St. Francis*, by Tintoretto, and the *St. Anthony*, by Luca Giordano, all large pieces, from the collection of Mrs. Meade; the *Lady drinking*, by Terbourg; the *Dying Seneca*, by Vandyck; the *Views of Venice*, by Canaletti, and the head of a Madonna, by Sasso-Ferrato. These, with a number of others, to which we cannot now advert, are well entitled to a more detailed notice; but the space we have already occupied reminds us that we must leave this branch of the subject and proceed to make some remarks on a few very highly finished copies of originals in Europe, which formed a part of the Exhibition.

The most interesting of these was a copy of the celebrated *Descent from the Cross* of Rubens, by F. de Brackelaer, a Flemish artist of great merit. It has recently been imported from Europe by Colonel Perkins, the distinguished President of the Athenæum, whose continued exertions and liberal contributions for the promotion of learning and the arts have justly entitled him to the gratitude of the community. The work was executed under very favorable circumstances, the original having been placed in the hands of the artist, on its return from Paris, for the purpose of being prepared for its new position in the Cathedral at Antwerp. The size of the copy is greatly reduced from that of the original, but it gives in other respects a most exact and faithful representation of it, and is itself a very superior picture. It includes the two companion-pieces, which were placed on the right and left of the *Descent from the Cross*, when it occupied its original place as the altar-piece of the Cathedral, and which represent respectively the *Salutation of Mary and Elizabeth* and *Simeon bearing Christ in his arms*.

The *Descent from the Cross* of Rubens is, as is well known to every lover of the art, the master-piece and pride of the Flemish school, as the *Transfiguration* of Raphael is of the Italian, and the *Moses striking the Rock*, by Murillo, of the Spanish. In this noble production the characteristic beauties of the great author, and of the school which he adorned, are exhibited in their highest perfection, and with the least mixture of the defects by which they were accompanied. The richness and beauty of the coloring, the skill displayed in the grouping of the figures, and the truth, with which they exhibit the passions and affections belonging to their respective characters, are really admirable, and we scarcely notice in the midst of so many excellences the slight defects in taste—*vestigia ruris*—that linger even here round the pencil of the illustrious Fleming and depress his work a little below the complete perfection of the unrivalled Italians. It is remarkable that Sir Joshua Reynolds, who appears from his Lectures to have been hardly satisfied, at least on a first inspection, with the manner of Raphael, bestows the most unqualified commendation on this production of Rubens.

'The Christ'—he remarks, as quoted in the Catalogue—'is one of the finest figures that were ever invented. It is most correctly drawn, and in an attitude of the utmost difficulty to exe-

cute. The hanging of the head on the shoulder, and the falling of the body on one side give such an appearance of the heaviness of death, that nothing can exceed it.'

On the companion-piece representing *Simeon bearing Christ in his Arms*, Sir Joshua remarks that it is 'admirable indeed; the head of the priest more especially, which nothing can exceed; the expression, drawing, coloring, are beyond all description, and as fresh as if the piece were just painted.'

This superb picture was transferred to Paris by the French when they took possession of the Netherlands, and remained for several years in the Gallery of the Louvre, where we had the pleasure of seeing it in 1812. It appeared to advantage in immediate comparison with the finest works of the greatest painters of all countries, among which it was then placed, and was regarded by all as one of the two or three first, by some as the very first piece in the collection. It approaches in fact more nearly to perfection in its way, than perhaps any other picture that could be named, and if it be inferior to some, it is only because the artist habitually exhibits in his most successful efforts somewhat less purity of taste and intellectual, or, as it is often called, *ideal* expression, than would be required for the attainment of the highest degree of excellence. In many of his pieces his deficiency in these respects is very remarkable, and forms a singular contrast with his extraordinary success in others. It is particularly conspicuous in his female figures, which were evidently copied directly from nature in a climate where the sex is distinguished for freshness and beauty of complexion, rather than delicate proportions or graceful symmetry of form. It is wonderful that Rubens who travelled much, and visited all parts of Europe, did not learn from his acquaintance with the fair of other regions, to correct his original notions of female beauty. His imagination appears to have dwelled with unabated fondness to the last upon the solid charms of his countrywomen which were probably endeared to him by the recollections of his youthful loves. His *Three Graces* in the museum at Madrid exhibit under a transparent delicacy of complexion, a largeness of bone and firmness of muscle, that would do honor to the champion of England. They form a strange contrast with the slender and symmetrical brunettes of Titian, that figure in their neighborhood. Complete perfection is, however, not to be expected in any human production; and notwithstanding some very obvious faults, the works of Rubens

will always be viewed as among the master-pieces of the art. For brilliancy and richness of coloring and fertility of invention, they perhaps excel all others, and if they want the ideal expression of the Italians, they are animated by an admirable spirit and vivacity, which are the best substitutes that could be found for that still superior quality. As a series of paintings on the same subject we are acquainted with none in the whole compass of the art to be compared with the twelve on the *Marriage of Catherine de Medicis*, that are now exhibited in the Gallery of the Louvre. These splendid pieces compose a sort of grand epic poem, not inferior in fire, nature, variety of character, wide range of supernatural machinery, and harmonious disposition of the various parts of a great and crowded action, to the immortal master-piece of heroic song. If one of the works of Velasquez alluded to above has been called the *Painter's Bible*, this series might be described with equal justice as an *Iliad on Canvass;* and the analogy is not the less striking because the artist conceived and executed his plan without the slightest reminiscence of Homer, nor because the action represented is in every particular wholly different from the celebrated wars of Troy. In works of art direct imitation never produces a real resemblance. This can only take place when minds of equal power and kindred genius, working perhaps, as in this case, in different lines, but under the influence of the same inspiration, and with the materials supplied by the same common nature, bring out under great varieties of form, works that are distinguished by the same general characteristics and produce the same effects on the imagination and the heart. There is no resemblance—for example—between the charming Allegro and Penseroso of Milton, and the Pacifico and Bellicoso of Mason, or twenty other parallels in the same form, that have been written in imitation of them; but we can easily find one in the delightful painting where the Muses of Tragedy and Comedy—each with her appropriate expression and costume—are struggling for the exclusive possession of their common favorite Garrick, although the idea of Milton and his poem probably never once occurred to the mind of Sir Joshua Reynolds while he was planning and executing the work.

The superiority of the works of Rubens is not more extraordinary than the facility with which he appears to have produced them. The collections of Europe are crowded with his paintings, frequently of large size, and when we consider the length

of time which is employed by many artists of great merit upon a single piece, we are disposed to wonder that he was able to execute so much. It is not impossible that in the latter part of his life he availed himself to a considerable extent of the labor of assistants and pupils; but it is well known that he wrought with great facility and threw off many of his admirable works at a single heat. The same was the case with some of the other great masters who lived in the best days of the art, and it seems to be chiefly at a later and less brilliant period that we find their successors adopting a different method, and substituting the slow results of patient and reiterated toil for the first glowing effusions of genius. There is no doubt an aptitude in different minds to proceed by different methods, and a man of merit can commonly work better in the way to which he feels himself naturally disposed than in any other; but it may be doubted whether much is gained in painting, poetry, or any other art, by the long delay and repeated revision by which some persons are accustomed to ripen their productions. An artist who has cultivated his taste by the usual methods, and reached the maturity of his judgment, has acquired all the talent he will ever possess, and the more freely and fearlessly he exercises it, the better in general will be the product. We mean not of course to recommend an inconsiderate precipitancy or to exclude the process of revision and correction within its proper limits; we only mean to say that a work which a man of genius, whether poet, painter, or orator, throws off in a happy moment, and at the height of his talent, is substantially as good when it first comes from his mind, as the nature of his subject, and the extent of his powers will allow him to make it. By reviewing it in a cooler moment, he may remove blemishes—improve the disposition of details—introduce additions of minor importance, and thus give the whole a finished air, which will considerably augment the general effect —but he cannot possibly by any revision or correction change the substance of it for the better. To change the substance of a work is, in other words, to produce a new one on the same subject, and this new one must, in general, in the case supposed, be inferior to the former, because it is produced under circumstances much less favorable to excellence. The want of facility which is experienced by some artists might, we fear, in many cases be more correctly described as a want of the moral courage and generous self-confidence, which are as ne-

cessary to success in art as in every other department of action. When we find a poet who was capable at twenty years of age of writing the *Pleasures of Hope*—the most elegant of all juvenile productions—bringing out nothing else in the course of a long life devoted to poetry, but a few short fragments, we see at once, that for fear of hazarding the reputation he had acquired, he has not exhibited the maturity of his talent, and that his works give us no indication of what he might have done if he had not been prevented by indolence or constitutional timidity from doing his best. Campbell at twenty was a much better poet than Scott at thirty—but the latter by manfully doing as well as he could without fear of criticism, gradually improved his powers by exercise, and in the end has completely overshadowed the other, though possessing a talent originally much superior to his own. The moral is the same with the common proverb—that *faint heart never won fair lady*—and that a man will never get the credit of doing what he has too little confidence in himself to undertake. Trust yourself, says Goethe, and others will trust you.

> Wenn du deiner selbst vertrau'st
> Vertrauen dir die andere Seele.

Our readers will perhaps think that there is little danger of an error on the score of excessive diffidence in a community where most of the citizens are ready enough to push their pretensions of all kinds, as far as they ought in reason to be carried, but we have in our view some cases connected with the subject of this article, in which the hints we have given might, we think, be turned to account. It is time, however, to resume our survey of the Gallery.

The copies, by Meyer of a large and beautiful landscape by Ruisdael with figures by Berghem, and by our countryman Fisher of the portraits of Rembrandt and Vandyck by themselves now in the Gallery of the Louvre, were highly interesting, but we have only room to notice that of the *Shepherdess Madonna* of Raphael, by Subba. This picture represents the Virgin at full length, in a standing position with a crook in her hand; the two infants Jesus and John Baptist standing beside her with their faces turned upwards to hers; the scene an open country, with hills and woods in the back ground. The artist appears to have repeated this subject several times. We have ourselves seen two originals at Paris, and it is stated in

the Catalogue that there is one at Naples. Of the two which we have seen, one is in the Gallery of the Louvre, and the other in the possession of our countryman, Samuel Williams, Esq. formerly our Consul at London, and now temporarily resident in Paris. The latter has been supposed by some of the British *connoisseurs* to be a copy by another artist, and for that reason commanded a comparatively low price at a public sale a few years ago. Its genuineness is, however, perfectly apparent on its face to all who are acquainted with the style of the great author, and its history is so well known that there can be no reasonable doubt upon the subject. It is traced back with certainty for about two centuries, to the time of Cardinal Mazarin, who employed it as the altar-piece of his private oratory; and in his various capacities of Italian, Prince of the Church, and Viceroy over the Queen of France, was not likely to be cheated in a painting by Raphael. It remained in the possession of his representatives till the commencement of the French revolution, when the property of the family was confiscated, and the paintings sold at auction. The one in question was purchased by Colonel Trumbull, who happened to be at Paris at the time, and who, after keeping it several years, transferred it to Mr. Williams. At the sale of Mr. Williams's effects, it was offered with the rest, but brought so low a price that it was bought in for the owner. From the peculiar circumstances under which it is now placed, it might probably be obtained for a sum considerably below its real value, and would form a most important and interesting addition to any of our collections. The drawing and coloring are in the best manner of the author, and although the principal figure is rather deficient in expression, the picture has always been regarded as a capital work. So far as we are informed, there is no original painting by Raphael in this country, and we should be highly gratified if it could be found practicable to improve the present opportunity for placing a very fine one in the Gallery of the Athenæum.

We come now to that part of the Exhibition which consisted of the works of our native artists, and we regret that their number and importance were not such as to authorise us to devote to the examination of them a larger portion of the present article. The splendid *Sortie from Gibraltar* by Trumbull, which belongs to the Athenæum, still retains its place, but it is too well known to the public to require or admit of a de-

tailed notice. There were also, beside the *Mother and Child*, which is the property of the institution, two very beautiful landscapes by Allston, belonging respectively to Mr. Weeks of New York, and Mr. S. A. Eliot of this city, a number of valuable works from the pencils of Sully, Doughty, Fisher, and Salmon, and several interesting portraits, particularly that of the Chief Justice of the United States by Harding. Without intending to undervalue the merit or importance of these productions, we cannot but remark, that they give a very imperfect notion of the richness and abundance of the recent labors of our native artists. Few countries have in fact done more within the last half-century in the way of painting than this. We know of none that can produce a more respectable list of painters who have flourished within that period, than is composed by the names of West, Copley, Trumbull, Allston, Newton, Leslie, Stuart, and Sully, to which might be added those of many other younger aspirants of undoubted merit. Several of these distinguished artists have been and still are the principal ornaments of the British school, which, for the time in question, belongs at least as much to the United States as to the mother-country. England has in fact only three names of equal pretensions and of native origin to add to the above list—we mean those of Reynolds, Wilkie, and Lawrence. The first of these, had he devoted himself exclusively to the higher walks of his art, would have probably placed himself at the head of modern painters, by which we mean those of the last century—and even as it is—although he gave up his pencil almost wholly to portraits—he is perhaps very fairly entitled to that high eminence. Wilkie and Lawrence are excellent, each in his line—which is not, however, in either case the highest—but the combined merit of the three, with that of their inferior fellow-laborers—does not authorise the mother-country to claim more than an equal share of the glory of the common school. The style of painting in France during the same period has been decidedly vicious, and although it has obtained a temporary popularity in that country is not approved by competent judges from any other. In the rest of Europe there has been little or no activity in this branch of art; so that the United States—as we remarked above—have done at least as much for painting during the last half-century, as any other country. We hope that efforts will be made to procure for the future Exhibitions a larger number of the choice products of

the native pencil. In the meantime without confining ourselves to those which were brought forward on this occasion, we propose to conclude the article with a few general remarks upon the style and works of some of the eminent American artists, whose names are recapitulated above.

That of West is commonly and in some respects deservedly placed at the head of the list. The length of his career—his conspicuous position at the head of the British Academy and the indefatigable perseverance with which he pursued his labors up to the very close of his protracted life—all these circumstances placed him in full relief before the public, and perhaps raised his reputation a little higher than it will be maintained by the impartial judgment of posterity. Perceiving or supposing that his merit was exaggerated, a certain number of persons were induced, as always happens in similar cases by a sort of reaction, to depreciate the value of his works, and even to deny altogether his pretensions to excellence. Without speaking of Peter Pindar, who attacked him merely because he was patronised by the King, we may find the feeling to which we allude exhibited in a quarter where we had a right to look for good taste and political impartiality. Lord Byron, in one of his poems describes our illustrious countryman as

> ——' the dotard West,
> Europe's worst dauber and poor England's best.'

But even here the noble bard, however opposite may have been his intention, has borne a sort of involuntary testimony to the high deserts of the painter. The British school, which in his wayward humor he represents as the worst in Europe, was undoubtedly at that time and still is the best, and by putting West at the head of it he rendered him in fact all the justice which his warmest friends could possibly have claimed for him. His real merit was very considerable, although he may not have risen precisely to the level of the greatest masters of other times. It was sufficiently evinced by the great popularity and success of his last and best pieces the *Christ Rejected*, and the grand composition of *Death on the Pale Horse*. We had the pleasure of seeing these noble paintings when they were first brought out at London, and witnessed the enthusiasm which they excited among the lovers of the arts and the public at large. The sum of ten thousand pounds was offered for the latter work—a higher price probably than

was ever commanded by any other picture. As there was nothing meretricious in the style of West, and as the public of a city like London is not often very widely mistaken in matters wholly unconnected with any accidental or temporary interest, it is impossible to account for this extraordinary vogue without allowing to the artist a talent of a very high order. His works exhibit in reality almost all the qualities that designate a first-rate painting. His walk lay in the highest department of the art. His subjects were always of a poetical cast, and he treated them all in a large, free and generous spirit; and while he possessed the principal requisites of a great painter his manner was almost wholly free from faults. He had in particular the great merit of avoiding the unnatural style of coloring which prevailed in the neighboring kingdom and seemed likely at one time to corrupt the taste of the rest of Europe. His excellent moral character contributed much to his talent and still more to his fortune. It kept him steady to his profession during a period of violent political convulsions, which swept away from their natural occupation almost all the high and stirring spirits. It recommended him to the favor of the King, and through that to the Presidency of the Academy, and it preserved his health and capacity for constant employment to the last moment of a very long life. He enjoyed the rare happiness of realising in his lifetime his full deserts on the score of reputation—perhaps something more—and of laboring with undiminished activity and a constant increase of fame beyond the ordinary term of human existence. We had the satisfaction of seeing him frequently in his last days, and have seldom known a more striking example of a serene and happy old age. He was then at nearly eighty a healthy, handsome man, busily occupied upon his last and greatest works, and enjoying the vogue which they successively obtained on their first exhibition. The natural simplicity and modesty of his manner were mingled with a slight air of self-importance and conscious satisfaction with his recent success, which appeared rather graceful than otherwise in one so much respected and so far advanced in years. The freshness and vigor of his mind were truly remarkable. He was still alive to every means of improving himself, and when the Athenian marbles were received in England, he addressed a printed letter to Lord Elgin, in which he spoke of this event as forming a sort of epoch in his life, and anticipated the great advantage which he should derive from the study of these ad-

mirable remains of antiquity in the further prosecution of his labors, which, however, were very soon after brought to a close.

We have said above that the manner of West was almost wholly free from faults. His conceptions are noble, his drawing correct, his coloring true, and his composition skilful and spirited. If we miss any thing in his paintings it is, perhaps, the secret indescribable charm of coloring, which, like the curious felicity of language in some writers, seems to be a sort of natural 'grace, beyond the reach of art,' but affording, at the same time, a higher delight than any of those beauties, which can be more distinctly analysed and defined. Of this Sir Joshua Reynolds possessed a larger share than West, and will probably on that account be always ranked above him in the general scale of merit.

The paintings of West, which remained in his possession at his death, were offered for sale soon after, and we have anxiously desired, that the whole or a portion of them should have taken the direction of this country. They would have formed a most interesting and valuable addition to our collections, and would then have reached what may fairly be considered their natural destination, the birth-place and original home of their author. We are not exactly informed what disposition has been made of them, and venture to hope that the expectation we have expressed may still, in part at least, be realized.

The general reputation of Trumbull is hardly equal to that of West, although the *Sortie from Gibraltar* is perhaps superior in effect to any single production of the latter artist. This noble picture may justly be ranked with the finest productions of the pencil, and would forever secure to its author, had he done nothing else, a rank with the greatest masters of the art. If his success has been on the whole inferior to that of his illustrious contemporary, it is probably because his devotion to his profession has not been so exclusive. The important military and political occupations, in which he was engaged during a considerable portion of the most active part of his life, diverted his attention for the time from painting, and when he afterwards resumed the pencil he seemed to have lost in some degree the vigor and freshness of his youthful talent. Hence his reputation has not continued to increase with his years, and his last works have not, like those of West, been regarded as his best. The four great paintings, on subjects connected

with the revolutionary war, which he executed for Congress, have, on the whole, hardly satisfied the public expectation, and for that reason have perhaps been depreciated below their real worth. They are all valuable pieces, and the *Declaration of Independence*, which we look upon as the best of the series, is one of a very high order. They derive a great additional interest from exhibiting portraits, as far as they could be obtained, of the Signers of the Declaration, and of the other patriots and warriors, who took a part in the memorable action of the Revolution. We incline to believe that these paintings, should the liberality of Congress allow the appropriation necessary for keeping them in existence, will gradually gain upon the public opinion, both as works of art and as historical memorials, and be viewed by the next generation with more interest than they are by the present one.

Of our living native artists, Mr. Allston is the one, to whose future productions the country looks with reason for the most brilliant exhibitions of talent, and the most valuable accessions to our public and private collections. Few painters have ever possessed at his age a higher reputation, or one acquired by nobler means; and from his character and habits there is room to suppose that his fame will continue to increase, like that of West, to the last period of his labors. Inspired by that exclusive and passionate love for his profession, which is the sure characteristic of a real genius for it, and by a lofty and generous disinterestedness, which has prevented him from consecrating his pencil to its lower and more lucrative departments, he has, under some discouragements, steadily confined himself to historical, scriptural and poetical subjects, and has formed his manner upon the highest standard of excellence. His conceptions are uniformly happy, and, when the subject requires it, sublime; his taste and skill in the mechanical details of his art complete; and he knows how to give his works the secret charm to which we alluded before, and which adds the last finish to every other beauty. If there be any thing to complain of in him, it is that he is not satisfied himself with the degree of merit, which would satisfy every one else, and employs in correcting, maturing and repainting a single piece, not always perhaps with any real accession of effect, the time and labor which would have been sufficient for completing a dozen. This extreme fastidiousness may have been at an earlier period of life a virtue, and is probably one of the qualities, which

have enabled the artist to realize the high idea of excellence, which originally warmed his young fancy. But, if we might venture to express an opinion on the subject, we should say that the time has now arrived when he might throw it off with advantage, and allow himself a greater rapidity of execution. His manner is formed. He possesses his talent, whatever it is, and, as we remarked above, when we treated the same question in general terms, the more freely and fearlessly he exercises it, the more natural and spirited, and, on the whole, the better will be the product. We trust that he will not permit another year to pass over without putting the last hand to the grand heroic composition, upon which he has been employed so many, and that this will be followed by a series of others of equal merit and of a rather more rapid growth. By this change in his manner of working we believe that he would gain in ease and spirit without sacrificing any real beauty, and would labor, on the whole, with infinitely more satisfaction and profit to himself and the public than he does now. We offer these remarks, however, with all the deference that is due from mere *amateurs* to an artist of consummate genius, who is after all the only true judge of effect in his art and of the best means of producing it.

The two landscapes by Mr. Allston, which were exhibited this year, were both very beautiful in different ways. The one belonging to Mr. Eliot is, we think, in the happiest manner. It has the warmth and softness of coloring of Claude, and is, as far as we are able to judge, in no way inferior to the fine productions of that artist. The *Mother and Child*, which belongs to the institution, is a highly interesting little piece, upon the merit of which there has been, however, some difference of opinion. If we may venture to offer our sentiments, we should say that the piece is beautifully finished and quite perfect in every thing that belongs to the mechanical details of the art. The coloring of the body of the infant in particular is as true to nature as it could possibly be made, and is fully equal to any that we have seen from the pencil of Titian. The artist does not seem to have been so fortunate in the drawing of the infant, who has too little fulness, as well as too much meaning in his face, for so young a child. The expression of the countenance of the mother is rather uncertain, and her face is thrown into a sort of mysterious shade, for which the spectator is not very well able to account. The piece, however,

taken as a whole, is a first-rate work, and forms one of the choicest ornaments of the Athenæum Gallery.

We regret that a larger number of the paintings of Mr. Allston were not exhibited on this occasion. We should gladly have seen in the Gallery the *Valentine* of Mr. Ticknor, the *Miriam* of Mr. Sears, the *Jeremiah* of Miss Gibbs, and the other fine productions of the same artist, belonging to other gentlemen in this country. These paintings, while they are kept in the houses of their owners, are seen by a very limited number of persons, and it is much to be desired, as well for the improvement of the public taste, as for the mere gratification of the curious, that they should be displayed from time to time in a place where they can be freely examined at leisure by the whole community. The advantage and satisfaction, which the public would derive from such an exhibition, would afford, we are sure, an ample compensation to the liberal proprietors for any trifling sacrifice of their own convenience, that might be required by such an arrangement.

We had intended to offer a few remarks on the style and works of our distinguished countrymen, Newton and Leslie, and also on the landscapes of Doughty, Fisher and Salmon, and some of the portraits that were exhibited on this occasion; but we have already passed the just limits of an article, and must reserve them for a future one. The most remarkable portrait was undoubtedly that of Chief-Justice Marshall, painted by Harding for the Athenæum. It has been pronounced by those, who are most familiar with the appearance of the illustrious original, to be a striking likeness, and it certainly does great credit to the painter, who must, however, make some further advances in his art before he can aspire to rival the mature fame of Stuart. The landscapes of Fisher as well as his copies from Rembrandt and Vandyck were very beautiful. Those of Doughty were hardly less so, and we regret that the sale of them at the present moment of depression in business has not afforded the artist the compensation for his labor, which he had a right to expect from the liberality and good taste of the citizens of this metropolis. The works of Salmon have a more decidedly characteristic manner than those of Doughty or Fisher, and are, we believe, in general greater favorites with the public. The three artists are all capable of rising by a proper course of study and practice to a high degree of excellence, and we trust that they will receive from their countrymen that

encouragement, which is absolutely necessary to enable them to proceed in their labors with spirit and success. A copy, by Sully, of a female head by Guido, and of a *Gipsy* from a French artist, attracted some attention. The *Bridal Eve* of Miss Sully, if not in the purest style of coloring, was curious as a specimen of the French manner, in itself essentially vicious. The most valuable effort of female genius exhibited on this occasion was a landscape by Miss Scollay.

It is time, however, to close these remarks. Before we quit the Gallery we cannot refrain from expressing the pleasure with which we have viewed the busts in marble of John Quincy Adams and Mr. Quincy by Greenough, who is also, we are informed, the inventor of the plan of the Bunker-Hill Monument. The great merit of this design furnishes itself a strong presumption in favor of the taste and talent of the author. He is now, we believe, pursuing his studies at Florence, and we cannot but form very high expectations from the future progress of a career that opens with so fine a promise.

ART. IV.—*Lectures on the Sacred Poetry of the Hebrews.* By ROBERT LOWTH, D. D. Lord Bishop of London. Translated from the original Latin, by G. GREGORY, F. A. S. A new edition, with Notes, by CALVIN E. STOWE, A. M. Andover. 1829.

The time has gone by, in which an editor would have thought it necessary to prefix an apology for presenting to the public an edition of this master-piece of Lowth's genius—his Lectures on the Hebrew Poetry. In regard to such a book men will not now ask, as seems actually to have been done, even in Germany, when Michaelis first presented this work to his countrymen,—*cui bono?* They begin to feel and enjoy, with something like a true relish, the indescribable beauty of the sacred poets. This exquisite fountain, so long hidden from the eye, and unvisited, even by the footsteps of wanderers, has at length been unsealed; the sere leaves and the accumulated mosses have been removed from its sparkling purity; the world has tasted of its freshness, and it can never again be restrained in its free flow. In an intellectual as well as a moral sense, it

makes the wilderness and the solitary place be glad, and the desert blossom as the rose. It has blessed the individual minds, who have drunk deep of its inspiration, with a vividness of fancy, a grandeur of imagination, an original simplicity and purity of thought, a power of sublime expression and imagery, and a reverence for all that is wise and good, which might in vain have been sought from the study of the literature of all other nations. The genius of Milton was early baptized in this fountain. It was from

> ——'Siloa's brook, that flowed
> Fast by the oracle of God,'

that he invoked the 'heavenly muse' to aid him in his 'adventurous song.' The tones of the Hebrew language came to his ear with a near and familiar accent, like that of his maternal dialect. He had fully mastered its treasures; and *Paradise Lost* exhibits on every page the impress of a mind most thoroughly imbued with the spirit of the sacred poets.

Setting aside the circumstance of their divine origin and consequent moral excellence, the scriptures of the Old Testament present such a field of curious, useful, and noble investigation, on so many of the most interesting subjects, which can occupy the human mind, viewed under so many romantic, elevated, and interesting lights, and they are besides so rich in all the elements of true sublimity and beauty, whether in poetry or history, that they are pre-eminently worthy of the most minute and patient study, which the Christian philosopher or the man of taste and genius can bestow upon them. It will hereafter, perhaps, be regarded as an anomaly in the history of the human intellect, that the poems of Homer should for ages have attracted the attention of the profoundest minds, and been made for a time almost the exclusive object of criticism in all its forms, and of associated inquiry in all its ten thousand wanderings, and yet that the Hebrew writings of the inspired volume, though equally before the eye and in the memory of men, should have been long passed by with such total absence of every thing like an attentive study, as to have left the great body of the most learned critics completely ignorant of their true nature, and gravely mistaking their poetry for prose. Without going into a minute consideration of the causes of this neglect, the reflection is now a very familiar one, that it has not been owing to the want of attractiveness and grandeur in

these writings, for in these respects they far surpass any thing that can be found in the whole circle of Grecian and Roman literature. The spirit of their poetry goes deeper into the human soul, and breathes a finer harmony of feeling; it calls forth thoughts that will never come at any other bidding. The *date* of their oldest poem is lost in extreme antiquity; and this is a charm, which would draw many to the pages of the Grecian bard, who had not a soul to feel or to appreciate his poetical beauties. If we step out of the circle of poetry into that of prose, which in a critical point of view has been equally neglected, what is there in all the celebrated histories of Greece to compare, in point of beauty, nature, and affecting simplicity of narrative, with some portions of the Pentateuch? It is a miracle, says Eichhorn, which has preserved our little Hebrew library so perfect. It is almost equally a miracle, which has kept it, till within comparatively a very few years, so perfectly unexplored.

The evils, which have arisen from a wrong conception of the nature of so great a portion of the inspired writings, have been multiplied. They have been the occasion of almost all the objections of infidels and the cavils of irreligious men. There cannot be a doubt, that just in proportion as the Hebrew scriptures, especially the poetical parts of them, are keenly and critically scrutinized, such objections and such cavils will utterly fade from the mind. They have often been excited by the mistakes, into which translators and commentators have fallen, when the Bible, in its original language, or rightly interpreted, would have precluded, so far as the intellect and not the heart is concerned, all possibility of their existence. A volume would hardly be sufficient to exhibit the nature of these mistakes, and the various sources from which they have arisen.

In the investigation of the Old Testament scriptures no one source of error has been more fruitfully prolific than the neglect to distinguish between what is poetry and what is prose. Every man's common sense, though he knows nothing of any literature but that of his own language, will show him the confusion, which must follow in the train of such a blunder. 'To what strange conclusions should we be led,' says Mr. Stowe, 'were we to interpret Milton's Paradise Lost in the same spirit and by the same rules with which we should read President Edwards on the Freedom of the Will?' Yet

none but an orientalist, versed in the character of Eastern poetry, and well acquainted with its peculiarities in distinction from prose, can truly appreciate the consequences, which result from confounding the rules of interpretation peculiar to each. This common error has been accompanied by, and in part has involved, an entire disregard of the peculiar genius and character of each poet, and a habit of perusing and examining the Old Testament, as if it were all the work of one and the same individual genius, and produced at the same period, and under the influence of precisely the same circumstances of feeling and condition. It has involved of course a total neglect of the parallelistic mode of writing, which now affords a most invaluable means of arriving at the sense; and an effort to find a figurative meaning for common language, which has produced results scarcely outdone in absurdity even by the maxim of the Jewish Rabbins, that mountains of sense are hung upon every point in the Bible. Add to this the neglect and ignorance of oriental and sacred geography, climate, scenery, customs, peculiarities of feeling, religious rites, political institutions, and manners of domestic life, all extremely different from those of Occidental countries, and also varying much in different parts of the East,—and instead of being astonished at the errors of past ages, we shall find occasion to wonder that they are so few.

As an illustration, though an imperfect one, of the point on which we have been speaking, let us take an instance at random from the poetry of Collins. In one of his *Oriental Eclogues*, this child of fancy introduces into his fine description of Chastity the following exquisite line.

Cold is her breast, like flowers that drink the dew.

Collins thought that these Eclogues were extremely deficient in imagery adapted to the region where their scene is laid; and in general there may be some truth in the objection. But in the present instance no image could be more appropriately beautiful; for in the mind of an inhabitant of the Eastern world it would be associated with ideas of the coldness, that always accompanies the dew-fall at night in those hot climates. Suppose for a moment, however, that a native of Greenland should be criticising this poem. He would certainly think that the glittering bosom of an iceberg, on which the salt spray falls and freezes, would be a much happier and

more appropriate image. A flower that drinks the dew would indeed tell him sweetly of an unsullied purity and freshness, but far from answering to the epithet *cold*, it would speak to his imagination only of the sunny skies and the warm fields of Elysium. Should this poem be read under the idea of its being mere prose, it would appear perfectly unaccountable, if not absurd. And yet, the contrast between the circumstances of life and climate at the North Pole, and those in the midst of which an Englishman is situated, seems hardly greater than that which exists between our own climate and manners and those which prevail in the Oriental regions. But if even an English critic should examine in what the peculiar aptitude of such a resemblance lies, or endeavor, as has often been done with the figurative language of the Scriptures, to apply it to practical use, and draw from it a grave and solemn lesson, he would find it not unfrequently converted by such a process into the merest nonsense. Nor is it only so with particular resemblances. Verse after verse of the most enchanting poetry in existence, if subjected to such an examination, would be despoiled of all its beauty and all its truth.

In the whole range of literature, nothing can afford a finer subject of inquiry than the Sacred Poetry of the Bible, considered apart from the circumstance of its inspiration, with regard to the influence which the history, climate, scenery, and whole condition of the Hebrews exerted in modifying its spirit and moulding its forms. Even a general and indistinct glance at their character and history presents them prominently to the mind as in all respects the most extraordinary people in the whole world. Amidst all antiquity they were not less a splendid astonishment in their national existence, than they are now, over every quarter of the globe, a proverb and a by-word in their life as individuals. While the grossest darkness of paganism enveloped all other nations, to them only, till the coming of our Saviour, was the knowledge of the true God communicated, and among them only did his spiritual worship exist. Shadowy and dim as were their conceptions of that religion, which beams in the fulness of light and purity from the New Testament, they were, nevertheless, a moral Oasis amidst the desolation of surrounding idolatry. The seductive example of their neighbors, and the singular depravity of their own disposition, were indeed forever inclining them to depart from the living God, and degrade themselves with idolatrous sensuality; nothing but

a constant course of miracle and chastisement could keep them in any degree to their duty. Still, the knowledge of the glorious Jehovah, however unwillingly they obeyed his precepts, gave to their moral character a vast elevation above that of the whole world around them. The Sovereign of the Universe was the Supreme Administrator of their State. Before the glory of such a distinction, even at the commencement of their national existence, the artificial grandeur of the most magnificent empire passes into the shade. The consciousness that they were the chosen people of Jehovah, for whose sake all hostile nations were to be exterminated, and around whose borders there should be a perpetual defence, nourished in them a proud independence, and an unequalled intensity of patriotic feeling. The expectation of that glorious Being, whose coming was announced in the first revelation from Jehovah, and declared to be the one great object of their separate existence as the people of the Lord, powerfully strengthened their native attachments, and added to the loftiness of their character. The prosperity and splendor of Messiah's reign was dwelt upon with increasing fulness from age to age, in the predictions of every succeeding prophet, till it became the theme of universal exultation—the hope to which the imagination of every Jewish individual delighted to advert. They turned to those vivid prophecies for consolation amidst all misfortunes, and for triumph and gladness in their festivals. Almost every passage in their history, every ruler of their country, and every ceremony in their worship, were connected with the mysterious promise, and pointed forward to the glorious event.

The commencement of their national existence was not lost in obscurity, nor dated from circumstances in themselves mean or trifling. It was founded on an event no less august and solemn, than a covenant of mercy between the Most High God and his servant Abraham;—a covenant renewed with Isaac and Jacob, and from age to age with the most eminent and holy among the successors of the patriarchs. Always looking, with an expression which could not be mistaken, to the future advent of the Saviour, it designated them and their posterity as the chosen people, through whom all the nations of the earth were to be blessed. They could trace back their existence, through all its diversified changes, to one great patriarchal ancestor;—a being, honored to the end of life by supernatural revelations from Heaven, and regarded through the whole Eastern world

as the most pious, venerable, and majestic character in all antiquity. India and Asia, the ancient disciple of Zoroaster, and the modern worshipper of the Arabian prophet, unite in doing homage to the memory of the Father of the Faithful.

Their early history was not left to be disfigured by the prolific invention of fictitious chroniclers, nor involved like that of other nations, in the perplexity of doubtful and contradictory relations. It was inscribed with the pen of inspiration, and at the same time glowed with the genius of their divinely commissioned lawgiver. Where can another history be found like that contained in the Pentateuch of Moses—so sweetly unaffected, yet so full of dignity; so concise, and yet so comprehensive; so rich in poetry, yet so chaste and simple in its style; so affecting in its pathetic recitals, and so vivid and powerful in its solemn and terrific scenes; and presenting throughout, a picture so graphic of the life and manners of the ancient Oriental world? The Pentateuch closes with the book of Deuteronomy, the last testimony of the Jewish legislator to his countrymen, containing a brief but vivid recapitulation of their past history, and a second concise declaration of the law. The nation had now gained a lasting experience of God's dealings with his people, and the generation had passed away on whose souls and bodies the blight of effeminacy and slavery had descended during their residence in Egypt. Aaron had been gathered to his fathers, Moses was about to die, and the tribes were just upon the eve of a happy entrance into the long promised land of Canaan. Under these circumstances, the words of Moses must have carried a thrilling impression into the hearts of the Israelites. How powerfully does he appeal to their experience of the judgments and mercies of Jehovah—with what mingled encouragements and threatenings, what fearful curses on the disobedient, what tender admonitions, what eloquent entreaties! Nor is the voice of prophecy silent; it speaks plainly of the coming Messiah; it predicts their own defection and consequent wretchedness; it almost relates the destruction of Jerusalem. The eight closing chapters of the book of Deuteronomy are perhaps the most sublime portion of the Scriptures. They contain the tremendous curses denounced against transgressors, and the unequalled blessings pronounced upon the obedient; the glowing historical song, which Moses, at the command of God, wrote for the people of Israel, to be forever in their memories, a witness against them

when they should turn from the Lord their God; the animated and prophetic blessing upon the twelve tribes, and the short but striking history of the death of Moses, when he had viewed from the top of Pisgah, with an eye which old age had not dimmed, the land '*flowing with milk and honey*,' stretched out before him in all its compass and luxuriance.

Through all this short, but perfect and comprehensive history—the storehouse of poetic imagery to the prophets and psalmists—where is the page that is not full of materials to arrest the eye, and excite the imagination of the poet? What books could be more crowded with energetic recollections, sublime and picturesque events, instructive and terrible warnings? From the first interposition of Jehovah, to the moment when His presence is revealed to Moses upon Nebo, His glorious agency is every where visible. It is He who accompanies the patriarchs in all their journeyings, and makes trial of their faith; it is He who gives wisdom to Joseph, and makes the children of Israel to increase in Egypt; it is He who brings them out with His mighty hand and His outstretched arm; who reveals His glories at the Red Sea, on Mount Sinai, and through the wilderness; who dwells between the cherubim, and leads His people like a flock. Throughout, it is the purpose of the inspired historian to stamp upon the minds of his countrymen the most impressive sense of their peculiar dependence upon God; he closes with the declaration, so literally fulfilled, that they shall be invincible and glorious, if obedient to their divine Sovereign, but cursed, rejected, and miserable whenever they forsake Him.

The character of Moses himself, as it is depicted in the course of the history, was an invaluable treasure to the people. 'And there arose not a prophet since in Israel, whom the Lord knew face to face, in all the light and wonders which the Lord sent him to do in the land of Egypt, to Pharaoh, and to all his servants, and to all his land, and in all that mighty land, and in all the great terror, which Moses showed in the sight of all Israel.' His name could never be remembered without exciting in the bosom of the Israelite, the highest exultation of patriotic pride.

If the history contained in the Pentateuch was full of materials calculated to excite the popular imagination, to strengthen the national patriotism, and to convince the Hebrews of God's retributive providence, the history of successive periods in their

existence was scarcely less so. We must pass by the period from Joshua to Samuel, and can only glance at the reigns of David and Solomon.

David's life was full of poetry; his character and reign were a proud inheritance to the Jewish people—the most delightful era in their history. He was eminently the anointed of the God of Jacob; under him they always recognized their Theocratical Constitution, and were again taught, as by the experience of their whole national existence, to seek prosperity solely in obedience to Jehovah, and to attribute to Him the praise of their victorious successes. David was favored with a magnificent renewal of the Covenant of God, with the additional promise, whose extensive and spiritual import as referring to the Messiah he evidently understood, that the royal succession should be in his house, and that his kingdom should be established forever. He fixed the royal residence at Jerusalem, and the capital of the nation was named the City of David, whither also he transferred, with public and splendid rejoicings, the Ark of the Covenant. Jerusalem became the capital of the Invisible King; his temple was built upon Mount Moriah; and thenceforward the City of David was called, by its most glorious title, the City of God.

In no respect did David confer a greater benefit upon his countrymen, or leave the stamp of his own genius more indelibly upon the nation, than in the measures, which he adopted to improve the public worship, and give it a suitable character of magnificence and joyfulness. He formed for it a regular system of music and poetry; he appointed Levites to praise the Lord with songs and various instruments of music; he composed the most instructive and animating Psalms, to be chanted not only at all the sacrifices, but by the whole people, when they made their glad pilgrimages to Jerusalem at the seasons of the feasts. Himself the sweet Psalmist of Israel, he communicated to the national imagination, in no slight degree, the impulse of his own poetic genius.

The reign of Solomon was the most splendid in all the Hebrew annals; he is celebrated through the world as the greatest of Eastern monarchs. David left him in possession of a peaceful kingdom, and on him, in answer to his pious request, the spirit of wisdom was poured out apparently without measure. The regularity with which all the national affairs were administered, the magnificence of his court, the abundance of

his riches, so that he 'made silver in Jerusalem as stones,' and the gorgeousness of the Temple, which Jehovah permitted him to build, surpass all description. He inherited likewise the poetical genius of his father, and the sacred Book tells us that his songs were one thousand and five. Happy would it have been for Israel, had his piety to Jehovah equalled his wisdom and genius. For his idolatry the crown of glory was taken from the nation. Scarcely had he died, when the ten tribes revolted, and in about four hundred years Jerusalem was destroyed. These centuries were the period during which most of the prophets, from Elijah downwards, appeared and uttered their predictions. Jeremiah prophesied the captivity of Judah, and after the mournful event, uttered his affecting Lamentations. *How doth the city sit solitary, she that was full of people!* His warning voice had long before declared, *The sin of Judah is written with a pen of iron—with the point of a diamond.* He was reserved to be a historical witness of the events, which Inspiration had predicted from his own lips.

The Hebrew muse has been called the denizen of nature; with equal propriety may she be termed the denizen of history. She draws much of her sublimest inspiration from the instructive record of God's dealings with his people. Even the Psalms are full of the finest imagery gathered from historical events; but the prophetic poetry is by far the most copious in its sublime and beautiful allusions. The history of the Hebrews in its spirit is all poetry; their poetry is almost a history, both of the past and the future. For the Prophets, what could be more appropriate, in the exercise of their functions as the messengers of God, than to paint their warnings with an unceasing and energetic appeal to the well known experience of the nation? Such an appeal was not addressed to a people ignorant of their own history. It was the pride of a Hebrew, as well as his duty, to have the law and the testimony inscribed upon his heart. A Jew, well instructed, could almost repeat the contents of the sacred Books from memory. On their study the utmost expenditure of wealth and labor was lavished. They were copied with the richest penmanship; they were incased in jewels; they were clasped with diamonds; they were deposited in golden arks. The whole of the one hundred and nineteenth Psalm is composed in praise of their wisdom, and to inculcate their perusal. How

striking was the last charge of Moses to the people: 'And thou shalt teach them diligently unto thy children, and shalt talk of them when thou sittest in thine house, and when thou walkest by the way, and when thou liest down, and when thou risest up—thou shalt say unto thy son, we were Pharaoh's bondmen in Egypt; and the Lord brought us out of Egypt with a mighty hand!'

Powerful indeed must have been the influence of such familiarity with those sublime compositions! The unceasing frequency with which their remarkable passages are referred to by the sacred poets, shows with what prevailing power they dwelt in the popular imagination. How could it be otherwise? Almost every rite in the ceremonial of the Hebrews was founded upon or in some way connected with the remembrance of supernatural interposition. Almost every spot in the land of the Israelites was associated with the history of those glorious events. Three times a year the whole Jewish multitude went up to the tabernacle or to Jerusalem at the feasts. Did they pass through the valley of Hebron? There lay the bones of the patriarchs Abraham, Isaac, and Jacob. Did they stand on the plains of Mamre? There Abraham erected an altar to Jehovah, and entertained the angels. Did they visit the borders of the Dead Sea? Its sluggish waves rolled over the cities of the plain, and they traced the ruins of the fire-storm from heaven. If they looked towards Nebo, it was the sacred and mysterious burial-place of Moses. If they passed near Gilgal, there the sun and moon stood still at the command of Joshua. If they rode on the mountains of Gilboa, there the glory of Israel was slain upon their high places. Such thrilling recollections must have met them at every step, besides being often mingled in the memory with some vivid burst of poetry. An event, like that of the passage of the Red Sea, commemorated in a song such as that of Moses, was a treasure in the annals of the nation, whose worth in the formation of the national spirit we cannot adequately appreciate. Nor can we conceive the depth of emotion, which must have dilated the frame of a devout Jewish patriot, every time he remembered that sublime composition.

The general character of their sacred and civil constitution, as well as innumerable particular observances, domestic, political and religious, were full of influences, which could not be otherwise than powerful in strengthening the popular imagina-

tion, and filling it with elevated and beautiful conceptions. The Oriental manners in domestic life, joined to the Mosaic institutions in regard to private society, shed a spirit of refinement over the social intercourse of the Hebrews, and exhibit it to us connected with very many picturesque and romantic associations. Their hospitality was generous and open-hearted; their modes of salutation appear even extravagant in the profession of kindness and good-will. Strangers were to be treated with peculiar attention; 'the stranger that dwelleth among you shall be unto you as one born amongst you, and thou shalt love him as thyself; *for ye were strangers in the land of Egypt.*' The aged they were commanded to regard almost with a religious veneration; the crown of gray hairs was sacred: '*thou shalt rise up before the hoary head, and honor the face of the old man.*' 'Honor thy father and thy mother,' was one of the commandments of the Decalogue. The observance of the duties of filial attachment and respect were connected with peculiar blessings, and their violation with imprecations and punishments of an awful severity.

The celebration of nuptials was a season of joyous festivity, attended by many interesting and imposing ceremonies. The dress of the bride and bridegroom was rich and splendid; and so, indeed, among the Hebrews, were all garments worn on festival occasions. The birth of children was with them an event thrice blessed—to be hailed with exulting ceremonies. The birth-day of a son was honored as a festival, and observed each year with lively demonstrations of gladness.

A spirit of kindness and benevolence was inculcated even towards animals; and towards the poor and friendless in the land how beautiful was the humanity enjoined upon the Israelites, especially at the season of harvest! 'When ye reap the harvest of your land, thou shalt not wholly reap the corners of thy field, neither shalt thou gather the gleanings of thy harvest; and thou shalt not glean thy vineyard, neither shalt thou gather every grape of thy vineyard; *thou shalt leave them for the poor and the stranger.*'

The Jewish people were unequalled for the festive delightfulness and picturesque observances of their sacred seasons. The Sabbath was an institution worthy of the wisdom and benevolence of their Invisible Sovereign. He *blessed* it emphatically, as a day of holy cheerfulness and rest for the Hebrews, their servants and their cattle. In it they were to contemplate

with glad and grateful emotions the Creator and Governor of the universe; they celebrated it with religious songs and instrumental music; they gathered around their prophets to receive instruction; they taught their children the wonderful providences of God; and if they were not too far distant, visited the tabernacle or the temple.

The year of Jubilee was a national custom, combining, in an eminent degree, all that is picturesque, endearing, free, noble and patriotic. It was a long and hallowed Sabbath of rest and universal liberty; they returned every man to his possession, and every man to his family; all debts were cancelled; the bondman, free as the air, came back to his inheritance; the aged exile visited the long-lost home of his fathers.

The three great sacred festivals, at the return of each of which all the tribes appeared at the tabernacle, or, after the building of the temple, went up to Jerusalem, bringing presents, offering sacrifices and exulting together with songs, and music and dances, in God, 'whose mercy endureth forever,' were eminently calculated to communicate an ardent and joyous impulse to the popular imagination. Nor could any thing have been devised more admirably adapted to give life and intensity to the national patriotism, than these proud meetings of all the millions of Israel around the gorgeous temple in the City of their God. How joyful was the pilgrimage of the people, in bands of families and kindred, beneath the delicious sky and amidst the lovely scenery of Palestine, as they wound among the hill-sides, or stopped to refresh themselves in the valleys, lifting up their voices from time to time, accompanied with instrumental music, in those beautiful songs of degrees, which David composed for the purpose;

> 'I was glad when they said unto me,
> Let us enter thy house, O Lord!
> Our feet shall stand within thy gates, O Jerusalem!'

First in the year came the feast of the Passover, solemn and striking in its ceremonies; then the feast of the Harvest, full of rural plenty and festivity; last and most splendid the feast of the Tabernacles, instituted in memory of the journey through the wilderness. During its continuance of eight days, the Hebrews dwelt in shady tents erected with green boughs along the streets of the Holy City, and on the roofs of the houses, in commemoration and imitation of their dwellings

when they wandered from Egypt. As it was likewise a festival of gratitude after the vintage and the gathering in of the fruits, they carried about the productions of the choicest trees, with branches of palm, willow, pomegranate and other verdurous and thick-foliaged boughs. The whole season passed away with songs and music in unmingled delightfulness. Jerusalem, during its continuance, wore the appearance of one vast, thickly-clustered, luxuriant bower, in the evening widely and splendidly illuminated.

In the character of the Jewish priesthood there was every thing combined, which could render it venerable and majestic; their office was connected in the popular mind with all possible associations of grandeur. They and their posterity were solemnly divided from the rest of Israel for the service of the living God. Four thousand Levites, clad in robes of white linen, ministered as musicians and singers, but the classes of the priests were limited to the posterity of the sons of Aaron. The ceremonies of their consecration, continued during eight days, were solemn and impressive in the highest degree. Their vesture was splendid—especially that of the high-priest: over his forehead he wore a plate of gold, fastened to the mitre by a blue fillet, and inscribed with the august device, *Holy to the Lord.*

The Jewish worship combined, perhaps, in the greatest possible degree, magnificence with minuteness and simplicity in its rites. During the wanderings in the wilderness, and indeed for more than four hundred years, till the time of David and Solomon, the religious ceremonial was not invested with all that external grandeur, which it afterwards possessed; yet the tabernacle of the congregation was a gorgeous pavilion, and its furniture of a character well adapted to strike the imagination with interest. With what evident and patriotic pride does even the Apostle, under a more glorious and perfect dispensation, look back to the days of the former priesthood, and enumerate the objects in the tabernacle, 'which is called the Holiest of all; which had the golden censer, and the ark of the covenant overlaid round about with gold, wherein was the golden pot that had manna, and Aaron's rod that budded, and the tables of the covenant; and over it the cherubim of glory, shadowing the mercy-seat.' Wherever the tabernacle with the Ark of the Covenant abode, the whole town or village was consecrated by its presence.

After the building of Solomon's temple, the rites of worship were performed with a magnificent and solemn grandeur, of the effect of which, in the midst of an edifice so glorious, our imaginations, though aided by the utmost minuteness of description, can very inadequately conceive. The temple was 'garnished with precious stones for beauty,' and almost every part of it was overlaid with gold. The king dedicated it with offerings and ceremonies worthy of its own grandeur, and the majestic solemnity of the occasion. Nothing could exceed the sublimity of his consecrating prayer, or of the thanksgiving songs of David, accompanied with instrumental music, and uplifted on the voices of four thousand Levites. Jehovah himself manifested his awful presence, 'so that the priests could not stand to minister by reason of the cloud; for the glory of Jehovah had filled the house of God.'

The following is an animated description of the temple in Jerusalem, drawn, indeed, as it appeared in the time of Herod the Great, but yet, perhaps, presenting no inadequate picture of its glory as it first rose under the eye of its royal founder. It is from the pen of Croly. 'I see the court of the Gentiles circling the whole; a fortress of the whitest marble, with its wall rising six hundred feet from the valley; its kingly entrance, worthy of the fame of Solomon; its innumerable and stately dwellings for the priests and officers of the temple, and above them, glittering like a succession of diadems, those alabaster porticoes and colonnades, in which the chiefs and sages of Jerusalem sat teaching the people, or walked, breathing the pure air and gazing on the grandeur of a landscape, which swept the whole amphitheatre of the mountains. I see, rising above this stupendous boundary, the court of the Jewish women, separated by its porphyry pillars and richly sculptured wall; above this, the separated court of the men; still higher, the court of the priests; and highest, the crowning splendor of all, the central temple, the place of the sanctuary and of the Holy of Holies, covered with plates of gold, its roof planted with lofty spear-heads of gold, the most precious marbles and metals every where flashing back the day, till Mount Moriah stood forth to the eye of the stranger approaching Jerusalem, what it had been so often described by its bards and people, a 'mountain of snow, studded with jewels.'

The loneliness of the Holy of Holies, in the absence of a visible image, surrounded as the Hebrews were on all sides,

by nations of idolaters, whose temples were crowded with the most grotesque forms of wood and stone, that a degraded heathen ingenuity could invent, must have powerfully affected their imaginations. With what awe and wonder it filled the mind even of Pompey, when after passing all the external splendors in the approach to the recesses of the Jewish temple, he lifted the separating veil, in the full expectation of finding a statue which would answer in its majesty to the gorgeous decorations that had already excited his curiosity to the utmost, but found himself a daring intruder, in the holy solitariness and silence!

Our limits will not suffer us to speak more minutely of their national and religious customs, or of the circumstances of their history. They were all full of poetical effect. The smallest of their rites were important, and often they were grand and magnificent in the extreme. Their existence itself was for ages a continued miracle; and their history abounded in such proud and endearing recollections, and teemed with events of such supernatural glory, and with characters of such holy faith and intellectual grandeur, that it would have constituted the strangest of all anomalies, had not the national imagination been peculiarly grand and elevated.

Their climate and scenery exerted a greater influence in moulding their character and giving a spirit to their poetry, than the same circumstances have done with almost any other people. The power of these causes is always greater perhaps, than we are disposed to believe. Their influence is silent, but it is constant and gradual, even from infancy to the maturity and decline of life. Their operation in aiding to unfold the faculties, and in giving a tinge to the poetical susceptibilities of the soul is indeed subtle, delicate, and refined. If it could be watched in its progress and measured in its power, as the more material influences can be, its extent, all-pervading though invisible, would astonish us. Could the idea of Foster be realised, and a mind which has arrived at maturity go back, step by step, through its past existence, and analyse and classify the innumerable influences which have contributed their share in the formation of the man, we apprehend that not the least powerful would be found to have proceeded from the appearances of external nature. And why should it not be so? Can any thing except the moral providence and the word of God be better fitted to refine and meliorate the character of an intelli-

gent being, than the ceaseless operation of such sublimity and beauty as he sees exhibited in the forms and hues of the natural universe? The contemplation of nature is a universal school of silent moral discipline. When devotional sentiments are united with a sensibility to natural beauty, and the mind beholds the Deity in His works, it is elevated by impressions whose power can scarcely be calculated, because they are unnoticed, and constantly recurring.

To the climate and scenery of Palestine we have to look from almost every page of the sacred poets for the explanation of particular allusions, and in order to the full enjoyment of their most beautiful imagery. It afforded in its variety almost all the elements of peculiar sublimity and beauty in the material world. It afforded them likewise in opposition and contrast. The extent of the country was indeed narrow, yet being intersected with numerous ranges of hills that were capable of cultivation even to the summit, its surface was in reality extensive, and the variety of its climate multiplied. 'At the foot of the hill grew the products of the torrid zone; on its side those of the temperate; on its summit the robust vegetation of the north. The ascending circles of the orange grove, the vineyard, and the forest, covered it with perpetual beauty.' The mountain ridges were not less salubrious and opulent in their various productions. The most careless reader of the Bible must have seen how the names of Lebanon and Carmel were connected in the imagination of a Hebrew with all ideas of fertility and delightfulness. The very appellation of the latter indicates the fruitfulness of its mountain-ranges, and of the valleys which they form; for Carmel literally signifies the *garden of God*. The summits of these ranges were crowned with forests of oak and fir; the valleys were covered with laurels and olives; and there was no want of fountains and rivulets, most grateful to the inhabitants of the East.

From the most deliciously beautiful and secluded vale, an Israelite might pass in a few hours to the grandeur of the cedar forest on Lebanon, or to the rocks and snows on the summit of Antilibanus. From the sweet lake of Tiberias he might find himself at no very distant interval walking on the bituminous and gloomy shores of the Dead Sea; and from a garden like the bower of the first pair in Eden, he might soon be transported to the savage sterility of the desert of Engeddi. There was an astonishing contrast and variety at different in-

tervals of season and situation in the river Jordan, whose origin is found in the perpetual snows of Antilibanus. After measuring a subterranean journey of a few miles from the foot of the mountain, it bursts from the earth with noise, and then, after a few miles of verdure and fertility, passes into the lake Merom. Here the beholder might at one season in the year, cast his eye over a broad and beautiful expanse of water, and at another over an almost interminable marsh, covered with shrubs and rushes, the abode only of wild beasts. Again when the snows melted on the mountains, the reedy marsh became a sheet of pure crystal, bordered with luxuriant verdure and foliage. Pursuing the course of this celebrated river a few miles further, he found himself at the lake Gennesareth, or Sea of Galilee, or Tiberias; forever dear in the imagination of the Christian, from the memorable scenes acted on its shores, and from the appearance of our Saviour to his alarmed disciples on its bosom in the midnight storm. It was pure and sweet, secluded in its natural situation, and surrounded by elevated and fruitful declivities. Passing from this delightful lake, the river flowed onwards, increasing in beauty and size, through a tract of country, to which its waters and tributary streams imparted such a freshness and fertility, that it was termed by way of eminence, the region of Jordan. And then, after all this variety, and from all these scenes of purity, fragrance and life, it was swallowed up in that image of all stagnant and frightful desolation, the Dead Sea.

There were similar transitions, at some seasons, in an incredibly short space of time, over the whole face of nature. 'In spring and summer, if the east wind continues to blow for a few days, the fields are in general so parched, that scarcely a blade of any thing green remains; many rivers and streams are dried up, the others are rendered briny, and all nature seems at the point of dissolution. After a plentiful shower, however, the fields revive beyond all expectation, the rivers resume their course, and the springs pour forth more delicious water. Dr. Russell has described this regeneration of nature in most lively colors in his Natural History of Aleppo, a book which every man ought to read, who wishes, not only literally to understand the Oriental writers, but to feel them.'*

* Michælis upon Lowth. The learned annotator, was, however, mistaken in his reference to the work here mentioned.

Earthquakes, perhaps the most terrible of all natural phenomena, were common, and likewise the severest thunder and lightning. There were also other calamitous as well as wonderful appearances and productions of nature, with which Palestine was from time to time visited. Such was the hot and deadly wind called by the Arabs Simoon, and by the Turks Samyel, which might be seen approaching from the distance, like a cloud, tinged with red as a rainbow, and attended with a rushing noise. The devastation of the locusts was another natural calamity, described with such fearful, but exact colors, in the second chapter of Joel.

Such a climate and such scenery and phenomena could not and did not fail to give a rich poetical cast to the whole popular mind.

The manner of life among the Hebrews was such too as brought them most completely under the influence of all the various appearances of nature. They were, till the conquest of Canaan, entirely a nation of shepherds; and though they afterwards in some measure laid aside their Nomadic habits, yet they still continued husbandmen; and the mildness of their climate, as well as the nature of their employments, kept them constantly in the open air, and alive to all the influences of natural scenery and phenomena, to a degree, which with us exists only in imagination. By the laws of Moses, agriculture was in reality made the basis of the state. It was a highly honorable employment; so that while the greater part of the people were, in their ordinary occupation, husbandmen, the richest and the noblest among them did not disdain to engage in rural labors. To every citizen was divided by the inspired legislator, an equal portion of land, which he and his sons after him might cultivate; nor could it be alienated from the family, for a longer period than until the great returning jubilee. How powerfully must this institution have tended to keep alive in every bosom the feelings of patriotism and the ties of family endearment, as well as to preserve a primitive and happy simplicity in character and manners! It has been well called the strongest and most benevolent bond that ever bound man to his country.

Such were a few, for after all we have mentioned only a few, of the circumstances, which may have combined to give to the Hebrew imagination its mingled richness, grandeur and simplicity, and its peculiar spirit and coloring to their poetical

composition. Yet we have exhibited a rich enumeration. What nobler materials could have been desired, out of which to mould a lofty-minded and religious national character, or to build up a holy, grand, elevated, and ample national literature! A delicious climate;—the cultivation of a fertile soil and the contemplation of the most diversified scenery as their daily employments;—a history full of all thrilling, patriotic and devotional recollections;—a glorious theocracy as their form of government;—a sanctified and magnificent priesthood;—a ritual, imposing in its external glory, and in almost every particular, teeming with high associations, and pregnant with prophetic meaning!

It is delightful, in reading the Sacred Poets, to trace the direct influence of all these circumstances, in passages of extreme beauty, occurring to the eye on almost every page. Our limits will not suffer us to be thus particular. Yet we cannot but glance at the general character of that class of their poetry, which is descriptive of natural beauty, or founded on their admiration of the works of Jehovah. They drank in the delicious influences of climate and scenery, and poured forth their emotions as inartificially and unconsciously as the warblers of the grove. In the absence of all foreign and far-fetched imagery, they dwelt with a contented fondness on the scenes amidst which they had been born and nurtured, with a purity and exultation of feeling, which powerfully captivates the heart. They never sought to astonish by magnificence, either in words or images, but were unstudied in their simplicity, and satisfied with expressing the truth. Yet they expressed it with vivid intensity, in words and figures that are flashing with life and energy.

When they looked forth upon the glories of nature, the idea of God as the Sovereign of their own State, no less than as the Creator and benevolent Ruler of the universe, and the only object of religious veneration, was continually before their minds. There was hardly a spot, which was not consecrated by the grateful recollection of some supernatural interposition of his providence. Wherever they turned their eyes, it was not merely the luxuriant fertility, or the sublime features of the scene, which told them of the goodness, and wisdom and power of Jehovah; the country possessed a more endearing memorial, it was connected with a more thrilling association. It spoke to them of the strange miracles which God had wrought for the

protection of his chosen people, and the destruction of idolatrous nations.

O God, when Thou didst march forth before Thy people,
When Thou didst march through the wilderness,—
The earth shook, the heavens also dropped at the presence of God;
Sinai itself at the presence of God—the God of Israel!

Their thoughts were never shut in by the mere limits of their physical vision, but always soared upward to the contemplation of the Deity. When they attempted to describe His works, their lips involuntarily uttered His name. God was in every thing, and every thing had a voice of praise to Him. The fields, the forests, the rivers, and the mountains, exulted in Jehovah, like animate intelligences.

The hills are girded with exultation,
The pastures are clothed with flocks,
The valleys are covered with corn,
They shout for joy, yea, they sing.

They looked upon creation, not with the feelings of natural philosophers, but with the fresh admiration of the soul. No system of philosophy chained down their attention to secondary causes; they looked to God. The 'course of nature' was not; they had no term for it; they formed no idea of it; it was God. The universe and its minutest existences hung suspended on His ever-present, ever-acting, everlasting agency. Each night His hand guided the stars in their courses; each day He renewed the light, and garnished the earth with beauty. Not a flower, but was the object of His care; not the meanest animal, that did not live by His goodness.

He prepareth rain for the earth,
He maketh grass to grow upon the mountains.
He giveth to the beast his food,
To the young ravens which cry.

He is represented as the Universal Father, providing daily for the wants, and taking care of the happiness of his innumerable family. It is this which gives to the one hundred and fourth psalm its inexpressible beauty.

These wait all upon Thee,
To give them their food in its season.
Thou givest it unto them,—they gather it;
Thou openest wide Thine hand—they are satisfied with good.

All creation repairs, like a child, to its Father, and retires, contented and rejoicing in His care. The Sacred Poets never contemplated the glories of Creation, but with the lively gratitude of sincere worshippers, delighted to witness and to feel the all-pervading mercy of Jehovah. The utterance of their ecstacy at the view of the scene before them, was the fervent expression of real emotions. They loved a minute enumeration of its beauties, because it was a moving, animated picture of the glory and benevolence of God; because their souls were moulded by its influence, their hearts were touched with human kindness, they sympathised with the happiness of all animated nature, and rejoiced to sing forth their grateful, involuntary praises to the Giver of good.

There is scarcely an object in nature, which they do not personify. The sun, the moon, the stars, the winds, the clouds, the rain, are the ministers and messengers of Jehovah. The fields and the trees break forth into singing, and even clap their hands for joy. The mountains melt at His presence, or flee from His wrath in terror; and the sun and the moon hide themselves from the terrible flashing of His armor. What unutterable sublimity do such bold personifications communicate to that chapter in Habakkuk, commencing, *God came from Teman,—The Holy One from Mount Paran.*

> The mountains saw Thee, and were troubled;
> The overflowing of waters passed away;
> The deep uttered its voice,
> It lifted up its hands on high.
>
> The sun and the moon stood still in their habitation;
> In the light of Thine arrows they vanished,*
> In the brightness of the lightning of Thy spear!
> In indignation Thou didst march through the land,
> In wrath Thou didst thresh the heathen.

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* Several distinguished critics render this passage, *they went;* making the personal pronoun refer to the Israelites, who, he thinks, are here described as marching forth to victory by the flaming lightning of Jehovah, represented as His armor. Herder, with a more poetical conception of the passage, and perhaps one which is equally critical, says, that the sun and moon are here described, in the Oriental manner, as advancing to the door of their tent, to gaze at the fearful commotion around them; but overpowered and terrified by the flashing of Jehovah's armor, they start back, and vanish or hide themselves from its brightness.

The poetry of the Hebrews should scarcely be mentioned in connexion with that of other nations, but to point out its vast and delightful superiority. In the influences and the circumstances under which it grew, it has scarcely any thing in common with the poetry of the Pagan world. Excepting the important fact that we, like the Sacred Poets, are acquainted with the true religion, it is still more diverse in these respects from the poetry of modern times. With them, it was the pure offspring of nature. They had no critics, they knew no laws of rhetoric, no technical variety of composition. The schools of the Prophets were the only institutions in which they made the power of conveying instruction, oral or written, any thing like a study. There they prepared themselves in human learning, and when the Spirit of Inspiration descended upon them, the prophecies and the poetry they uttered were not untinged with the hues of their own genius and feelings. On the contrary, every peculiarity of individual intellect was made vividly conspicuous.

Though the point admits of doubt, it is of little importance to know whether the earliest snatches and glimpses of poetry, which we meet with in the Old Testament, such as the blessing of Jacob, and the prophecies of Balaam, were at first uttered precisely in their present form, or reduced to it by the narrator. The wild, hurried, mournful, unwilling strains of Balaam's sublime predictions, are full of the appearance of having been the immediate, irresistible, we had almost said, verbal inspiration of the Spirit of God. The King of Moab, finding it impossible for Balaam to curse Israel —'How shall I curse whom God hath not cursed?'— placed him in three different situations. 'Come, I pray thee, I will bring thee unto another place; peradventure it will please God that thou mayest curse me them from thence.' We behold the prophet in imagination, standing amidst the princes of Moab, on the high places of Baal, or the summit of Pisgah, his arm outstretched and pointing to the white tents of Jacob, which spread out far and peacefully over the plain beneath him, his countenance almost transfigured by the vision of his soul—bursting forth at once into the most majestic strain of prophecy and poetry.

> Lo! the people shall dwell alone,
> They shall not be numbered among the nations!
> Who shall count the dust of Jacob,
> Or the number of the fourth part of Israel?

Let me die the death of the righteous,
And let my last end be like his!

* * * * *

I shall see him, but not now!
I shall behold him, but not nigh!
There shall come a Star out of Jacob,
A Sceptre shall rise out of Israel.

* * * * *

How goodly are thy tents, O Jacob!
Thy tabernacles, O Israel!
As the valleys are they spread forth,
As gardens by the river's side,
As the trees of aloes, which the Lord hath planted,
As the cedars by the water-courses!

Balaam is the most sublime example of the nature of the prophetic impulse, in the whole Bible. From the account given of him (Numbers, xxii. xxiii. xxiv.) we should deem it very probable, that we have his words precisely as they came from the lips of the excited prophet. There is the same probability in regard to the blessing of Jacob. Yet the present highly sublime and poetical structure of these pieces might have been given them by Moses. None can doubt his ability. His Ode on the Passage of the Red Sea, his prophetic blessing on the tribes of Israel before his death, his song of warning to the congregation, and the ninetieth Psalm, prove that he possessed a genius equal to that of the finest poets of his nation.

It is probable that much of the poetry in the Old Testament, the prophetic poetry, was composed, as we say, extempore;—uttered in a poetical form—the best adapted to the expression of sublime ideas and excited feeling—under the immediate influence of inspiration. From the example of Elisha, (2d Kings, iii. 15,) who, when about to deliver a message from Jehovah, called for a minstrel, and when the harp was touched, 'the hand of the Lord came upon him,' and from other instances, we are led to believe, that the Hebrew prophets and poets may have often composed with the aid of instrumental music, uttering their predictions, or chanting their extempore hymns to accompany the strain.

In regard to Isaiah, there is internal evidence that his predictions were not committed to writing till after they were spoken, and the highest probability that they were spoken in their present form. From the very instructive and interesting

account in Jeremiah xxxvi. we find, that in the fourth year of king Jehoiakim, the prophet, by the command of God, dictates to Baruch the scribe, for the first time, all his previous prophecies. After this roll is destroyed by the angry monarch, Baruch again writes 'from the mouth of Jeremiah, *all the words* of the book, which Jehoiakim, king of Judah, had burned in the fire; and there were added besides unto them many like words.' From such passages there is reason to believe, that the prophetic poetry of the Old Testament comes to us exactly in the words and the form in which it was at first spoken. It can scarcely be otherwise; for why should the prophet alter or remodel what he had originally uttered from inspiration, and what all who had heard it could not fail to recollect?

The parallelistic arrangement is the most marked and general characteristic of Hebrew poetry. Though it became more regular with music and dancing, and though it seems to have been customary with the Hebrews to chant their sacred hymns in alternate choirs, answering each other in the correspondent lines, yet it cannot be doubted, that we are to look to the constitution of the human mind for the origin of this system. Strong feeling is never satisfied with the simple assertion of a sentiment; it must be repeated and enforced by a variety and change of expression. The best specimens of Indian eloquence which we possess, exhibit some beautiful instances of a parallelism like that of the Hebrew Poets.

Whatever might have been its origin, it exhibits itself not only as the characteristic peculiarity of the sacred poetry, but as one of its most beautiful features. Its simplicity is such that it never tires or becomes monotonous, but always falls upon the ear with new gratification. An English poet and critic finely remarked in regard to it, 'In repeating the same idea in different words, the Hebrew muse seems as if displaying a fine opal, that discovers fresh beauty in every new light to which it is turned. Her amplifications of a given thought, are like the echoes of a solemn melody; her repetitions of it, like the landscape reflected in the stream. And whilst her questions and responses give a life-like effect to her compositions, they remind us of the alternate voices in public devotion, to which they were manifestly adapted.' This subject is illustrated with great beauty in the nineteenth of Lowth's Lectures. It would seem incredible, were it not palpably exemplified in the most sublime instances, that the

simple repetition of an idea, often with very little variety, even in the expression, can be productive of so powerful an effect. The twenty-ninth Psalm, which is so full of majesty, owes the strength of its impression on the soul of the reader in a great measure to the amplification of one or two sublime ideas in the nervous simplicity of the Hebrew parallelism. We may be permitted to illustrate this truth by a short quotation.

> The voice of Jehovah is upon the waters;
> The God of glory thundereth;
> Jehovah is upon many waters.
> The voice of Jehovah is powerful;
> The voice of Jehovah is full of majesty.
> The voice of Jehovah breaketh the cedars;
> Jehovah breaketh the cedars of Lebanon.

Whether the Hebrew poetry possessed any regular metre in connexion with this parallelism, or what was its exact nature, we have no means of determining. The frequent adaptation of its strains to music, renders it probable that it must have been regulated, if not by syllabic laws, yet by fixed principles of harmony and cadence. The corresponding alternation of its distichs may be denominated verse; but this arrangement was unfettered with rhyme, and adapted itself with an agreeable irregularity to the various character and symmetry of the thought. For this reason, a professed translation of the Sacred Poets is displeasing, unless the parallelistic divisions be as nearly as possible preserved, without the addition either of rhyme or metre. The English language seems to be the best adapted of all modern tongues to the accomplishment of this purpose; because it is the one which expresses most distinctly the spirit and beauty of the original with the least variation from the form and letter. In rendering all other foreign poetry into his own language, the translator may often, with the greatest happiness, vary both the coloring and expression of his author's thoughts; and he is not unfrequently obliged to call in the aid of metre and rhyme, sometimes to cover the poverty or conceal the extravagance of the sentiment, and generally, to give additional pleasure to the reader. But in a translation from the Sacred Poets, the mind involuntarily rejects every foreign ornament; it asks for no artificial beauty which the original does not possess; it demands the soul of the poetry in a garb as plain and simple as

the idiom of a modern language will possibly admit. It is a striking proof of the amazing power of the Inspired Poets, that they cannot be divested of their native majesty and beauty, even in the most languid versions of the most miserable tongues; and on the other hand, that with the most vivid, accurate, and admirable translation of which any language is capable, it is impossible to convey an adequate impression of what the mind feels, when admitted to enjoy the full excellence of their poetry in the very idiom in which it was originally uttered.

One great cause of the difficulty of conveying its spirit fully into other languages, is found in the character of life, breath, and motion, which belongs to its bold and figurative expressions, notwithstanding their remarkable simplicity. They invest the thought and display it before the mind, as the most transparent atmosphere surrounds the beautiful objects and appearances of the natural world, presenting them perfect to the vision. Imagination and language seem moulded into one, and inspired with the same ceaseless energy. Thus the activity of that subtle power is never compelled to wait for the service of words; it seems as if at every new movement it created a new and picturesque idiom to answer its demand, and clothe the ideal image with life. Other languages employ abstract terms and dry delineations of thought; but the Hebrew refuses them, and indulges its love of powerful metaphor by investing abstract ideas and inanimate objects with all the vivid attributes of existence. The morning stars are *sons of the dawn;* arrows are *sons of the bow*, or *of the quiver;* the hills are *girded with exultation;* the deep *uttereth its voice, and lifteth up its hands on high;* the ark *walks upon the face of the waters;* the blood of Abel *cries from the ground;* and *the shadow of death is on the eyelids of the mourner.* Again, when they describe a tumultuous commotion, they speak of *the roar of the waves and the tumult of the people;* and when the voice of Jehovah is uttered, there is the stillness, and trembling, and 'melting away' of the earth and the nations. To their remarkable simplicity, and the united grandeur, familiarity, and frequent use of their metaphors, are owing, in a great measure, the strength, vividness and energy of their descriptions.

They had no languid, luxurious, or sonorous epithets, such as those with which other poets often encumber and weaken their thoughts, and which are often considered, with great perversity of taste, a rare beauty in poetical composition;

they had even none such as the Greeks and Romans used, nothing like the 'silver-footed,' or the 'golden-haired,' or the 'far-darting.' We all remember the ἀργυρόπεξα Θέτις, the κορυθαίολος Ἕκτωρ, the νεφεληγερέτα Ζεύς, the πολυφλοίσβοιο θαλάσσης, and, still more richly poetical, the εἰνοσίφυλλον Πήλιον, of Homer. The Greek is full of such picturesque and imaginative expressions, and Homer, of all poets, uses them with the most admirable freedom and skill. Our own language too is not unadorned with this beauty. Milton, who almost thought in the rich languages of antiquity, exhibits many fine examples of it, such as 'sable-vested night,' 'drowsy-flighted steeds,' 'close-curtained sleep.' Collins, another master of the mingled richness and fineness of our language, uses compounds of great merit; we recollect the 'dim-discovered spires,' in his Ode to Evening. In the older poets, Spenser, Drayton, Shakspeare, they often occur. But the Hebrews, in their severe simplicity, seem almost to have disdained to resort to such artificial combinations, however beautiful. The genius of their language is superior to them. Their adjectives do not even admit an alteration from the positive form; the comparative degree being expressed by prefixing a preposition to the noun; the superlative has no appropriate form or construction, but is expressed by various circumlocutions. They have no compound epithets. They accordingly express their thoughts with the most unconscious simplicity, and seem to have known no such thing as an attempt to elaborate their language, or retouch its colors. The arts of criticism and correction did not then exist. They wrote, not for fame, not from imitation, but from unsought and irresistible impulses; from the free flow of devotional and patriotic feeling. All was pure nature, fresh, young, undiseased.

The peculiar construction of their language rendered it more poetical than any other in existence. Herder called it 'an abyss of verbs and verbal derivatives—a sea of energetic expressions, agitated and tossing with life and motion.' To those who are acquainted with the Hebrew tongue, the figure is not extravagant. Almost every noun looks to the verb as its ancestor, and communicates to all successive derivations the same character of activity which it received from its own origin. The nouns too are used as adjectives, and preserve, through all their shades and changes, the life and energy of the parent stock. The verb is the strong trunk of a noble tree, whose

boughs and foliage and fruits constitute the whole wide-spreading language. Its conciseness is likewise such as cannot be imitated in any other tongue. Particles—which invariably weaken, at the same time that they connect a language—have scarce a separate existence, being joined to some important word. Conjunction, pronoun, and verb, form but one word; object, subject, and predicate, may be uttered in one. The English circumlocution, 'and he said to me,' would be expressed by the Hebrews in a single term; and as a still more remarkable example of this peculiar brevity and force, they might utter in one word the whole English sentence, 'as he has given to me.' It is no wonder that with such a language they could be sublime; and how much of their sublimity must necessarily evaporate in a translation!

Again, they have but two tenses, and the first may be used indifferently for past, present, and future; yet without creating obscurity in the sense, or want of exactness in expressing the nicest shades of meaning. This change of tenses gives an astonishing vividness to their poetical composition, and converts their very history into poetry. If they prophecy a future event, it is present; if they relate a past one, it is also present. Everything breathes, moves, is a living reality, in the mind, and is clothed with life in the expression.

In order fully to appreciate the beauty and understand the meaning of the Hebrew poetry, it is absolutely necessary for the reader to be acquainted, not merely with the language in which it is written, but with the sources from which its imagery is drawn. His mind should be imbued with an atmosphere of Orientalism. By the study of the history, climate, scenery, manners, &c. of the Hebrews, he should become so familiar with every thing relating to their modes of life and feeling, as to be able, when reading their compositions, to read them with something of that general state of mind in which they were written. It is the duty of every student in Theology, at least, thus to prepare himself for their examination. Yet it is a rare circumstance to find an individual, who gives to this study its due weight and its proper place. An adequate knowledge of sacred geography and of Oriental customs is uncommon; and there are some students, who nobly appreciate the importance of a constant perusal of the scriptures for the acquisition of their spirit, spending hour after hour in the devotional contemplation and study of divine truth, yet strangely neglect that other part of

discipline and duty, and never think of consulting Bochart, Niebuhr, Calmet, or Reland.

To the prevailing disregard of such a method of studying the Hebrew scriptures was added, till the latter part of the last century, a very general ignorance of their real nature. If it was known that such a thing as Hebrew poetry existed, yet the prophetic writings were never believed to belong to its department, and no one had attempted to point out its peculiar characteristics, till Lowth applied himself so successfully to the investigation of this subject. Before the appearance of his volume, scarcely any thing had been accomplished in the whole wide range of sacred literature which it occupies. The English theologians had confined their labors principally to the preparation of paraphrastical commentaries on the Sacred Books, which, however calculated to edify the devout reader, were admirably adapted to conceal the want of profound investigation, and to make both writer and reader satisfied with superficial views. These had been very generally translated and imitated in Germany; for it was not till after this period, that the German mind was roused to those efforts in biblical learning, which have since produced such astonishing results. Singular as it may seem, it was undoubtedly Lowth's work, which gave the first impulse to these studies in that country, and animated a whole host of profound scholars to follow in his train. This is nobly acknowledged by the Germans themselves. 'Let no man forget,' says Eichhorn, 'what he was for his own age; how beneficial was his influence upon his contemporaries; that we have become what we are, in part at least, by his aid; and that he has helped us forward many steps by his investigations and masterly example.'

The previous critical investigations of the most learned biblical scholars, both in England and on the continent, had been principally confined to the classification and comparison of manuscripts, and the settlement of the scriptural text. Such had been the profound and patient researches of Cappell and Carpzof, Walton, Wetstein and Mills. Father Simon, in France, had nobly distinguished himself in the critical history of the sacred text and interpretation. Glassius went far beyond his own age in his volume on the style and literature and interpretation of the Old and New Testaments. Bochart, a country-parish minister in France, had published works on sacred geography and natural history, which continue to be

the great sources of real learning on those subjects. English scholars had also, incidentally as it were, distinguished themselves by an acquaintance with the literature of the Bible, and the manners and domestic life exhibited in it. Such were Selden, Milton and 'the very learned Hyde.' But the whole field of Hebrew poetry lay untouched. Lowth was fortunate indeed in being the first adventurer to investigate a region so delightful. While the clergymen of the English church had been profusely lavishing their labors, and seeking every opportunity for the display of their learning, in the explanation of the Grecian poets, they had wholly passed by this mine of inestimable richness. It was left to be explored by a man, whose religion inspired him with better motives than those of merely human ambition, whose modesty kept him from presumption, whose accomplishments in the whole circle of English and classical learning were profound, and whose biblical erudition, especially his acquaintance with the Hebrew language, well qualified him, in this respect, for the task.

Neither an adequate knowledge of the Hebrew, nor any depth of critical investigation would alone have prepared him for a labor at once so erudite and delicate. It required a mind skilled in all the principles of eloquence, and acquainted with the history and philosophy of poetry; a taste refined in an uncommon degree, and a judgment deep, acute and penetrating. Lowth's original genius was of a very high order, and his education had been comprehensive and noble. His intellect was imbued with the richness of the literature of Greece and Rome, and his taste had been cultivated to an exquisite refinement of discrimination. The stores of erudition which he had amassed, never encumbered his mind, nor destroyed its more imaginative susceptibilities. Those rough treasures were all melted down in the fire of his genius, which converted them into brilliant transparencies, and tinged his most laborious acquisitions with the hues of a vigorous and active fancy. In that age, an English education was varied and rich and massive, to a degree, which did not exist in any other country, and which has not existed since in England. The University of Oxford especially, which was the Alma of Lowth, laid the ground-work deep and radical, in the knowledge of the ancient classics. Eichhorn refers to this, as the grand reason why the English scholarship of that age was so much more rich and beautiful, if not more profound, than that of the Germans. It is this also,

in a great measure, which gave its grandeur and massiveness to the earliest and best age of English literature. The habit of such an intimate study of that most perfect of all languages, the Greek, as would enable the youthful student to write it with ease and accuracy, communicated to the native style of the great English writers of that day a rich copiousness in language and a nobleness in the construction of sentences, which has almost passed from existence. To the discipline of Lowth's mind, in the composition of both poetry and prose in the ancient languages, must be attributed in a great degree the majestic elegance and dignity, which his own style certainly possessed.

Its energetic spirit, both in language and thought, are to be traced not merely to his classical education as its origin, but to another source. For while the classical attainments required in a course of liberal study at that day, were broader and deeper than in ours, the discipline in other branches of science, and in the noble, native literature of Great Britain, was proportionably vigorous, original and varied. Such minds as Lowth's and Burke's and Johnson's were formed upon the study of a native literature, strong and magnificent in its cast. They were formed by an intimate communion with men such as Milton, and Hooker, and Leighton, and Barrow, and Chillingworth, and Taylor, and Stillingfleet, and Usher, and Selden and Hyde; and, we might almost say, a host more like them—men of comprehension and energy, from whose writings wisdom and learning were dealt out to their readers in whole ingots, instead of being beaten into gold leaf, or frugally scattered here and there in parsimonious grains—men of gigantic intellectual grasp and sublime fancy—mighty in reasoning, and not less powerful and grand in imagination—men, too, in whose souls the agitating circumstances amidst which they were born and nurtured, had conspired to nourish a republican freedom and firmness of thought, and a range of sentiment elevated far above any thing insignificant and mean. Can we wonder that scholars like Lowth have disappeared, when the iron cradle, in which their genius was rocked, has been laid aside for the silken swaddling-bands of Addison and Blair? It is a favorable indication in the spirit of the present age that a taste for those old and noble writers, on whose model such as he were formed, is beginning to return among us

It is a remarkable circumstance, that Lowth entered on his task, not as a biblical critic, nor in his province of theologian; but as professor of poetry at Oxford. He chose the Hebrew poetry as the subject of his first course of lectures, after the example, as he tells us in a happy classical allusion, of Socrates; who began his musical studies by composing a hymn to Apollo, because he thought that the first fruits of his poetry ought to be consecrated to the immortal Gods, and that it was not lawful for him to descend to lighter subjects, before he had discharged his obligations to religion. He chose it because almost every common path had been trodden by his predecessors in office, while this afforded a field of investigation altogether original, and most grateful to his fine taste and religious disposition.

It was his object in the execution of his plan, to develope the beauties of the Sacred Poets in a view, which should arrest the attention of his hearers, and lead them to the farther prosecution of a study so full of profit and delight. To his pupils the subject was altogether novel. They had been conversant principally with the poetry of Greece and Rome; and it was at that day the prevailing habit, to criticise all poetry according to the models of the ancient bards and the laws of ancient critics. In France, there was no such thing known as a simple and natural perception of poetical beauty, or a truly philosophical and unconstrained manner of poetical criticism. And even in England, the examples of Milton and Shakspeare had hardly yet superseded the dogmas of Aristotle and Longinus, or brought critics to consider, that there might be other models beside those of Homer and Virgil, Euripides and Sophocles. It was therefore very natural for the Oxford professor, in pointing out the peculiarities and the beauties of the Hebrew poetry to the admiration of his audience, to measure its excellence and illustrate its merits by comparison with that standard, to which they had so long been accustomed to refer. He proceeds to divide it into the various technical departments,—the lyric, the elegiac, the didactic, the pathetic, &c.—where the Hebrew poets never thought of such a division, nor wrote with the most distant design of making it. It should have been treated, as far as possible, with a forgetfulness of all other models, and a disregard of all pre-established rules; as apart, distinct, peculiar—just as if there were no other poetry in the world. Still, we should be sorry to have lost his

discriminating criticisms on the poetry of Greece and Rome, and the exquisite selections, which he produced to adorn and illustrate his work.

In its progress, he found occasion to draw from all his resources of invention, learning and illustration. He displayed a vivid imagination, mingled with richness of thought and gentleness of feeling, a keen perception of poetical beauty, a power of philosophical criticism, and as great ease in the use of the Latin language, as if it had been his vernacular tongue. The purity and beauty of his Latin prose style has hardly been surpassed since the age of Augustus. Unfit as that language is for the purposes of acute and refined criticism, his felicity in adapting it to the expression of his ideas is remarkable. In reading the English translation by Gregory, the impression is left on the mind of the reader, that Lowth's style is deficient in definiteness and appropriate richness of language. Every one, who is acquainted with the power and beauty of Lowth's writings in his native tongue, must regret that he did not originally compose the Lectures in the English language. They would then have been a noble specimen of idiomatic beauty of composition, as well as a model of just and delicate criticism. As it is, the defect in the English dress is to be attributed to the translator, whose own style of writing was clumsy and unimaginative.

The example of Lowth in this great work pre-eminently shows, how much may be accomplished simply by the patient study of the scriptures. With the cognate dialects of the Hebrew he was perhaps totally unacquainted; nor was he very intimate with the peculiarities of the Oriental world. Yet by the persevering study of the Old Testament he attained a profound knowledge of the Hebrew language; and his discriminating judgment, exquisite taste, and acquaintance with the Hebrew history and antiquities, prevented his criticism from ever becoming loose, indefinite or extravagant, and made him successful in discovering the sources of poetic imagery. There is simplicity and truth in most of his reasonings. He makes no parade of learning, either of that which he really possesses, or of the semblance of that whereof he is destitute. There is nothing labored in his conclusions, nothing affected in his sentiments, nothing arrogant or hasty in his remarks; all is free, gentle and candid. He was making discoveries in a region entirely new, yet he does not announce them with the

bold eagerness of an adventurer, but with the mild philosophy of one who is seeking for truth, and with even a painful sense of the delicacy and responsibility of such an office.

A work so important in its connexions, so novel in its character, and conducted with so much learning, modesty and taste, could not fail to arrest the attention of learned men both in his own country and on the European continent. It opened their eyes on a new scene of the most interesting researches, and formed absolutely a new era in intellectual activity. It drew aside the veil, which had so long concealed the grandeur of inspired poetry, and made it to be relished and acknowledged. It threw new light on the explanation of the Old Testament, and introduced a more acute and correct method in the investigation of the sacred poetical books. His lecture on parallelism,—the peculiar characteristic of the Sacred Poets,—was altogether the work of original genius, and suggested a guide for the interpreter, the various uses of which, in discovering the meaning of particular words, in illustrating different forms of expression, in elucidating the sense of obscure places, and in the general critical examination of Hebrew poetry, cannot be imagined by any one who has not experienced its value. He resumed this part of his subject in the preliminary dissertation to Isaiah, where he went into a more full and minute investigation of the nature and principles of the Hebrew parallelism, than his limits as a lecturer would have permitted him to do. This great peculiarity in Hebrew poetry, from an ignorance of which very many of the errors of commentators and critics have originated, had before been scarcely hinted at. Azarias, in the seventeenth century, made some obscure suggestions in regard to it, but no one understood its nature, or had traced it in the Sacred Books, or attempted to deduce from it any practical utility. Schleusner followed Lowth on this subject with great learning and talent.

Though in itself the fruit of mature judgment and erudition, yet so little is this work encumbered with the heaviness or the display of research, that a reader who is altogether uninformed beyond the compass of his own language (if he have any poetical susceptibilities) will peruse it with the greatest delight. We deeply regret that it is not more known beyond the precincts of the clerical study and the theological institution. Were it as generally perused as its excellence deserves, it would elevate and purify the taste of the whole community. Who

could endure the prurience and blasphemy of Byron, or the voluptuousness of Moore, after having had but a glimpse of the glorious poetry of the Scriptures? Who would not relish Milton and Cowper with a deeper pleasure, after having himself tasted the richness of the fountain, at whose depths they drank so largely—after having been instructed in the highest principles of an art, which here claims the wisdom of the Deity as its origin?

We have spoken of Lowth's pure and elegant Latinity. He wrote Latin poetry which is hardly surpassed in beauty by that of Horace himself. Of this we have very many examples in the exquisite Latin translations from the Sacred Poets, scattered throughout this volume. There are no English scholars, who have equalled Lowth's attainments in this elegant art, in any degree, but Sir William Jones and the poet Gray. The epitaph on his daughter's tombstone is well known. Nothing can surpass its sweetness and its pathos. She was his first and favorite child.

Cara, vale! ingenio præstans, pietate, pudore,
Et plusquam natæ nomine cara, vale!
Cara Maria, vale! At veniet felicius ævum,
Quando iterum tecum, sim modo dignus, ero.
Cara, redi, læta tum dicam voce, paternos
Eja! age in amplexus, cara Maria, redi.

While Lowth was lecturing at Oxford, the learned Michaelis, then a young student, visited England, and heard him deliver one of his lectures on the sacred poetry of the Hebrews. Not long after the lectures were published in England, Michaelis prepared an edition in Germany, with very copious notes, which was published at Gœttingen in 1758 and 1761. These notes were a treasure of Oriental learning, and supplied whatever deficiency there might have existed in the lectures, arising from the want of an exhibition somewhat more complete, definite, and accurate, of the peculiar manners, climate, scenery, and dialects, of the Oriental world. They were the fruit of original investigations, pushed forward amidst every obstacle, with an energy in the cause of sacred literature, which animated no other man living. There is no scholar, who does not feel indebted to the venerable Michaelis for the accession which he thus brought to the means of illustrating the Hebrew poetry. The expedition which this great man prepared from

his quiet abode in Germany, to visit the East in search of information that might throw light upon the Bible, has something very sublime in its character. He planned and directed it himself, and drew up a list of questions for its guide, with a sagacity and a depth of knowledge that astonished the *literati* through all Europe. The expedition, though reduced in a few months by death's melancholy inroads from five individuals to one, resulted in the travels of Niebuhr. The discrimination with which Michaelis applied his inquiries to a more judicious and worthy exhibition of the meaning and beauty of the Sacred Poets, evinced a purity of poetical taste, which the admirers of his great learning have overlooked in the enumeration of his merits. When he attempted to write poetry himself, he was not indeed so successful; and was clearly mistaken when he said of himself, that had it not been for a few years' neglect of the practice, he might have written Latin poetry with the same elegance, which he admired, even to enthusiasm, in the translations of Lowth. Some of his notes on Lowth's work contain remarks on the interpretation of the sacred poetry, which are said to have given origin to several of the most splendid works since published in Germany. It may gratify our readers to be presented with the following graphic sketch of the manner of this celebrated Coryphæus of German literature in the lecture-room, drawn by one of his students, Dr. Schultz, of Giessen.

'Very often his glowing imagination, supplied with an inexhaustible fund of knowledge from every department of the sciences, lost itself with his voluble tongue in story-telling and dramatising an event or an argument, wide enough from the point from which he set out, and to which he must again return. The habit of eagerly seizing all sorts of figures and queer allusions and strange witticisms, though they would meet him only halfway in his progress, was constantly leading him off into the wildest by-paths; and then he heard himself talk with such exquisite delight, that at the end of the whole hour, nothing would be left but the gratification of a merry entertainment. In this respect he was particularly irksome to the more cold-blooded part of his students, who were looking for instruction. Whenever his keen eye, which was constantly darting around all parts of his lecture-room, happened to detect a stranger, he was sure to entertain him with a few quaint jests, good in their kind, only a little too evidently introduced for the occasion. As they were mostly derived from law, or from some other science that lay altogether

without the boundaries of theology and the Bible, they must necessarily have surprised the guest so much the more, and filled him with wonder at the learning of the lecturer. The obstreperous laugh poured forth on occasion of his jokes from the full throats of a hundred of the most thoughtless students, and the complacent smile displayed on the countenances of some ten or fifteen among the more cultivated and intelligent ones, were extremely gratifying and delightful to his feelings. Such, indeed, was the great man's weakness on this point, that he not unfrequently laid himself out with evident and laborious effort to raise the laugh precisely at the close of the lecture; then he would leave the room, as if in triumph, amidst the loud shouts of laughter, and while passing the door, you might see him cast back upon his audience a look, slily, but intensely expressive of his gratification and pleasure.'

Next to Michaelis, though after a long interval of time, came the enthusiastic Herder, with all his vast learning and poetical genius, to the prosecution of this branch of sacred literature. We might lavish a eulogy on the character of this interesting being, as a poet, philosopher, philologist, and critic; and on the merits of his two great works in the department of sacred science, his Letters on the Study of Theology, and his Dialogues on the Spirit of Hebrew Poetry. In himself and in his writings, he has given a fine example of his own *ideal* of a perfect critic on the Hebrew poetry. He criticised the poetry of the Hebrews like one imbued with its spirit. The form of dialogues, which he chose for his work, was adapted to a flow of easy, natural remark, and unrestrained admiration, full of life and vividness, but in reality, the result of patient study and a most profound acquaintance with his subject. We obtain from this work the most exact information, while at the same time we are revelling in poetry. The stores of learning in the mind of Herder were imbued throughout with the subtle spirit of his genius. He wrote this work, it might be said, in tears. Mueller, his bosom friend and the editor of his writings, often found him, when engaged in its composition, weeping like a child, through the intensity of his feelings. The style is easy and rambling, but full of eloquence, and sparkling with poetic imagery. Herder carries us back by the power of his fancy and the truth of his descriptions, into the midst of the ancient Orientals, and surrounds us with the very atmosphere of their life and manners. Like Michaelis, without surpassing Lowth in elegance of taste, he possessed a more intimate ac-

quaintance with Oriental learning, because twenty-five years had provided new facilities for its attainment.

In 1815 Rosenmueller prepared in Germany a new edition of Lowth's work, to which he added many notes of his own, and corrected the errors into which Michaelis had fallen. Besides these writers, Sir William Jones, Eichhorn, Gesenius, De Wette, and some others, have since the time of Michaelis contributed not a little to the elucidation of this subject.

From all these authors, the American editor of this work has enriched it with valuable selections. He has also added a number of notes, which are entirely original. He has displayed in the execution of his task much sound judgment and research. All the notes he has selected are of sterling value; and those which are the result of his own investigations exhibit originality and learning. We may refer to the note he has given in regard to the Hebrew dialects and poetic diction as one of uncommon excellence, the result of original research. We cannot but express our gratitude for the extracts he has given us from the writings of Sir William Jones. Every thing that came from his accomplished mind is worthy of preservation; but his intimate acquaintance with Oriental languages and literature makes all his remarks on these subjects most precious. We are not sorry to see some of the selections from Rosenmueller and Michaelis, and from some other scholars, in Latin. It is indeed true, that every theological student, and every liberally educated man among us, ought to be able to read with delight a Latin style so easy as that in which most of the Latin notes in this volume are composed. Mr. Stowe has made this work a still richer accession to the library of every literary man, and a still more indispensable requisite for the study of sacred literature.*

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* Mr. Stowe is already known to the public as the translator of Jahn's History of the Hebrew Commonwealth. Shortly after its appearance in this country, this valuable work was republished in England, under circumstances which reflect but little credit on the character of those who superintended its publication. The translator's name was excluded from the title page, and for aught that appeared there, the work might have been supposed to be English. At the close of the preface was the following note: 'In this edition the whole has been thoroughly revised, and such alterations made as seemed requisite to render the author's meaning clear and intelligible. *The American edition indeed was so totally unfit for English readers, as to make this abso-*

In 1778, Lowth published his translation of Isaiah, with a preliminary dissertation and notes. In this work he displayed the same elegance of taste as in his lectures, with perhaps even more learning. Yet it is remarkable that all his erudition and all his modesty did not save him from errors arising from the boldness of his criticisms. His only fault as a sacred critic was a degree of what Archbishop Secker denominated the '*rabies emendandi*,' or rage for textual and conjectural emendations. The prevalence of this spirit in his work on Isaiah was the only obstacle that prevented its attaining the same rank as a classic in sacred literature, which has been accorded to the Lectures on the Sacred Poetry of the Hebrews. 'If Lowth, as his American editor very justly remarks, with all his genius and scholarship, was betrayed into such errors, when he attempted to improve the text of the Bible by his own conjectures, what can be expected from others, who without his talents and learning, imitate him in his daring spirit of conjecture? It should be remembered, however, to the honor of Lowth, that he usually proposes his emendations with all the modesty and diffidence characteristic of true genius;

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lutely necessary.' Notwithstanding this barefaced assertion, it is perfectly evident that the English editors had not even compared Mr. Stowe's translation with the original work, when they republished that translation in England. Their edition is in substance an exact reprint of the American. In some cases Mr. Stowe had deemed it expedient to deviate from the original; and in all such cases, the English edition followed the American, and not the German. The very typographical errors, such as 1446 for 1466, which had occurred in the American edition, were exactly copied in the English republication;—and of the profound and important nature of the alterations by which the English editor, in *revising the translation*, endeavored to adapt it more peculiarly to English readers, we may judge from the following instances. In the American edition, where Arabic words occurred, they were given in Arabic letters; but in the English edition, the Arabic words were represented by Roman letters; and in one instance the English editors *omitted the Arabic entirely.* Again:—the American edition, speaking of the tithes of the Levites, said, 'the tithes did not amount to any thing like those enormous sums, at which Morgan has arrived by his erroneous calculations.' In the English edition the sentence runs thus: 'the tithes did not amount to any thing near the enormous sums, which Morgan has erroneously *calculated them at!*' Could the English editors have thought that such changes as we have mentioned, occurring on almost every page, would *make the author's meaning more clear and intelligible*, and render the work *more fit for English readers;* or was it their only object to make the English edition different from the American?

that he wrote before the text of the Bible was settled, and at a time when great results were expected from the collations of Kennicott; that he had the ardent and adventurous spirit of a new discoverer; and that critics at that period had not learned so well as they have since, that patient application is a much surer, though a more toilsome way of coming at truth, than bold conjecture, which costs neither time nor labor.'

We have before spoken of Lowth's general character as a scholar. It is impossible, with the meagre biographical outlines which alone remain to us, to do it adequate justice. Whatever he undertook was so performed, that it left very little to be accomplished in the same routine of study and labor. He gave to England the first regular grammar of his native tongue. We are somewhat surprised that Murray's grammar, which is but an enlarged copy of Lowth's, should so generally have occupied its place; and that too with little acknowledgement to the individual, from whom were derived its plan and most of its materials. Although Lowth's treatise was written so early as the year 1758, yet we doubt whether there is at the present day a single work of equal excellence in the same compass.

The private character of Lowth was not less adorned with all the virtues of domestic life, than his public one with the urbanity, the elegance and the elevated dignity of learning and religion. Even his insolent antagonist, Warburton, could admire his amiable manners and the winning modesty of his whole deportment. In one of his letters to Lowth, he observes, 'It would answer no end to tell you what I thought of the author of Hebrew Poetry before I saw him. But this I may say, that I was never more surprised when I did see him, than to find him of so amiable and gentle manners, of so modest, sensible and disengaged a deportment. It would not have displeased me to find myself ill used by pedants and bigots; but it grieved me to think I had any thing to explain with such a man.' His disposition was every where affectionate and kind; his love to his offspring uncommonly tender. The ties in his family circle were often broken, yet under his severest afflictions he is said to have exhibited the firmness of a christian resignation. His piety was of that kind, which the English church, when her services are not profaned by hypocritical ambition, nor her offices made silken cushions for the repose of a lukewarm indifference, is adapted to foster—it was

rational and fervid. Whatever situations he was called to fill, and they were various, he was always scrupulously attentive to the performance of his duties. It was, however, in his elevated station as a bishop, that his admirable qualities shone most conspicuously. The rare union of deep learning, true piety, gentleness of manners, modesty and dignity of feeling, fitted him to adorn his office in a pre-eminent degree. England can scarcely show, in all the annals of her history, a dignitary of the church, whose character exhibited a combination in all respects so noble, so delightful. Mild as he was, he had a manly, energetic and independent mind, properly conscious of its own powers, and decided in its convictions. Open and free in his inquiries, he was fearless in the declaration of all his opinions. An advocate himself for the most unrestrained investigation in matters of religion, he was willing to extend to others the same privileges he demanded as his own birth-right. He had that liberality and courtesy of mind, which is founded in real benevolence of feeling. We love to turn from the intolerant arrogance of Warburton and Horsley, to the freedom, the charity, the condescension and the genuine kindness of a man, who demanded no deference to his own opinions merely because they were his, and who could recognise and venerate an amiable heart and a virtuous life, though they existed in combination with what he thought erroneous opinions. He had no bigotry; his firmness was conciliating as well as steadfast; mild, indeed, and devoid of bitterness, but much more likely to remain unshaken, than that of more turbulent, haughty, domineering prelates.

Wherever he appeared, he diffused around him a benign influence. In his countenance, manners and whole deportment, benevolence was united with dignity; a union which made his inferiors unembarrassed in his presence, his equals familiar and affectionate, his superiors respectful and courteous. His own politeness, though it had all the elegance of courts, was not born there; it was that of kindly feelings, chastened and not destroyed in the collision and intercourse of society—the politeness of the heart, to which the refinement of places could add nothing. He was altogether a being of a superior order. But his intellectual and moral nature had been finely disciplined and developed; and neither apparently at the expense of the other. His rich and varied attainments as a classical scholar gave a remarkable elegance to his mind, and his soul

seemed to have imbibed in no small degree the spirit of simplicity and grandeur belonging to the sacred literature, which he had so deeply studied. He was, indeed, as the venerable Eichhorn styled him in a heartfelt tribute to his memory, a noble Briton ;—noble, for the extent, and depth, and modesty of his learning, for his dignified independence and liberality of mind, for his gentleness of mien and generosity of feeling, and above all, for the value which he set upon the noblest prerogatives of his being.

His name is one of those, to which England owes much of her literary glory, without acknowledging from whence it is derived. Volumes upon volumes have been lavished upon memoirs of ordinary men, and reviews upon reviews have been dedicated to the memory of far inferior characters, while that of Lowth, than whom scarce another Englishman could be mentioned, whose name is more venerated on the European continent, has been left to the meagre skeletons of Cyclopedian biographies, or to such a clumsy notice of his life and writings, as the reader may chance to stumble upon in the British Nepos. It is surprising how little the English public, even at this day, when antiquarian and literary curiosity are pushed beyond the limits of useful inquiry in almost every field that can be imagined, are acquainted with the character and labors of this admirable man. Do we err in supposing that the church of England would hardly yet have discovered the merit of his Lectures on the Hebrew Poetry had not Michaelis received their appearance with such enthusiastic congratulation, and excited his own countrymen to follow on in the path, which he had opened? As it is, the church has profited by his labors, without even paying to his character the tribute of a merited applause. He sleeps by the side of Selden, another pillar of English greatness, in the same comparative obscurity and neglect. He is not the only venerable patriarch of English literature, upon whose ashes they that are younger than he have arisen to unmerited distinction. Yet it is not even now too late, and we could wish that some true admirer of his character and genius might leave for a while the task of settling the text of Aristophanes, or writing commentaries on Apollonius Rhodius, or making a book for the Cabinet Cyclopedia, and set himself in earnest to collect the memorials that are fast passing away, and exhibit some tolerable record of his life, some worthy delineation of his merits and his labors.

ART. V.—*Lawrie Todd; or, The Settlers in the Woods.* By JOHN GALT, Esq. New York. 1830.

This book is replete with profound practical wisdom, conveyed in a vigorous and massy style. This is a high character to give of the story of a nail-maker, who is finally elevated to the rank of a shop-keeper, and land-jobber in the interior of New York; but we think it is, nevertheless, a very just one, and we are the more pleased with the author, for the reason that he can, without the help of moving incidents by sea or land, or the pageantry of fashion or rank, but by merely following an every-day character through a series of every-day fortunes, with only here and there a slight stretch of probability, invest with a moral and philosophical dignity, and a poetical interest, the passions, motives, interests and endeavors, that from day to day move and trouble the veritable world. Fictions so written are more true than history, and no less instructive than experience, and it is only to the least reflecting minds, that they are dry and barren; to such minds, as to those of children and uncivilised men, purple robes, burnished armor, gorgeous pageants, and showers of diamonds and pearls, are subjects of a more lively admiration. These toys excite the imaginations of the frivolous, who do not perceive that the lily, in its array of beauty, surpasses the glory of Solomon. Rank, power, and wealth, like dress, are something exterior and incidental to the man, whose mind, manners, sentiments, passions, and moral qualities, are, after all, the true and worthy objects of a generous interest; and whether they are exhibited in a high or humble station, are still a part of that human nature, which concentrates all that is permanently interesting in this world. In a story, therefore, whether it be history or fiction, whether the purpose be entertainment or instruction, the material question is, not how fashionable, rich, or powerful are the actors, or how much space they fill in the world, but what are their qualities and characteristics.

Mr. Galt has a way of conducting his plot, peculiar to himself, or rather he has no plot at all, for there is, in his stories, no concentration of action and incident to any particular consummation, at which the interest terminates. The reader is not borne along and absorbed by a continually increasing curiosity and anxiety, that put him upon the rack,

until he is reprieved by the happy turn of things, or knows the worst, and acquiesces in the decrees of destiny, as recorded by his author, with a becoming resignation. Mr. Galt's scenes, though more or less blended, are by no means woven together in one series of action, with a uniform tendency, disguised until the *denouement* explains all; but they are detached, in a great degree, in interest, and in the main are not linked as causes and consequences. The principal connexion in the incidents consists in their happening to the same persons. We do not mention this as a material defect in his stories, nor as indicating any want of talent in the author; for of all the causes of interest in a tale, the mere curiosity to know the end is the most ordinary and superficial, and it is quite a subordinate achievement of genius to accumulate obstacles, and carry the actors further and further from the haven, until by a lucky change of the wind, they make the port under full sail. It is one of the surest indications of talent, to be able to keep up the reader's excitement, without distressing him with too great an anxiety about the catastrophe. A journey is more interesting when the way is beguiled by successive incidents, which commence and end independently of each other, than when all the hopes and fears, pleasures and pains, relate to the accommodations of the inn at which it terminates. Mr. Galt's stories are remarkable for the thickly-crowding incidents, the prominent and striking characteristics of the personages, the reality of the sentiments, and the force, and occasionally pathos of the style. His reflections are usually just, and his thoughts often original, with an uninterrupted facility and buoyancy in the progress of the story, but not without occasional freedom in the language and incidents, a little alarming to fastidious readers; for the author seems to be by no means inclined to balk his narrative, or to suppress a good thing from excessive scrupulousness.

Mr. Galt professes to write this story for instruction, no less than amusement; it being, as he says, a shadowy and subdued outline of the history and localities of Rochester, in New-York; and he remarks in his introduction, that 'a description, which may be considered authentic, of the rise and progress of a successful American settlement, cannot but be useful to the emigrant, who is driven to seek a home in the unknown wilderness of the woods.' The emigrant, in this case, is the son of a poor, but industrious Scotchman, of Bon-

nytown, 'who, with hard labor, constancy, and the fear of God, followed the trade of a nail-maker; a presbyterian of the old leaven of the covenant.' Lawrie, his son, began existence with very slender promise of its blessings, being long sickly and crippled, from neglect in his infancy. By virtue, principally, of sunshine and exercise, for his diet seems to have been very scanty, he at length became a brisk nail-maker, and a sturdy, though *wee* debater in the republican society of some dozen and a half boys, who proposed to introduce the French revolution into Scotland. Lawrie professes to have been an eloquent spouter, with the prospect of becoming a finished orator in this patriotic body, when the officers of justice put an end to all their bright visions of parliamentary reform, and the restoration of the unalienable rights of man, by marching them off to Edinburgh. Our young reformer's patriotic exultation was not at all heightened by the exclamation of an old woman, as he was, with the rest, paraded along the streets of the city, 'Losh preserve 's! But the king maun be a coward, if he 's frightened for sic a modiwart,' (meadow-mole.) He had the good fortune to escape from this peril of life and limb, after being complimented by the king's advocate with the appellation of 'ragged scarecrow,' and he survived to serve his country again in the manufacture of wrought nails.

Having arrived at the momentous period of life, which transforms boys into men, he and his brother took passage for America in the good ship *Providence*, then lying at the port of Leith, having for outfits a chest of *things*, their father's blessing, and twenty shillings apiece. Thus, excepting Scotland, which they left behind, they had the world all before them, where to choose their place, not of rest, but of labor in nail-making; but, 'like Adam and Eve, when driven out of the garden of Eden, they had Providence for their guide, as that solemn-sounding gong of the Gospel, John Milton, bears testimony.' On coming to anchor in the harbor of New York, on the 16th of June, A. D. 1794, about ten o'clock in the morning, with three shillings and sixpence of their patrimonial outfit remaining, they began to collect information respecting the business of nail-making in the new world; but their hearts were 'struck with a snow-ball,' when they were told 'that a machine for cutting nails out of iron hoops had been recently set up, by which the Americans were of opinion they would soon have the supplying of the whole world with nails.' Their spirits

were cheered up, however, by proposals for employment, one of which they accepted, and they soon found themselves hammering their way in the world with great activity.

Our young hero, and his *Fidus Achates*, proceeded very prosperously in their vocation in the nail-making line, until one morning Lawrie met in the street a young lady 'about five feet seven inches' high, with 'a pale face, erect carriage, slow solemn step, in a small black beaver-hat, with two cords on each side to turn up the brim enough to show her ears, and long flaxen hair;' to wit, the future Mrs. Todd; so that what with nail-making a-nights, tending a small grocery by day, and courtship into the bargain, Lawrie had business enough on his hands; two branches of which, however, he proposed to merge in matrimony; namely, the courtship and the retailing, which latter was to be transferred to Miss Rebecca, after her transformation into Mrs. Todd. The ceremony of her baptism is very well described.

'When I beheld her tall, slender, and erect form, with slow and measured steps, move up the middle aisle, dressed in a white robe in maidenly simplicity; when I saw her stand serene in the midst of a vast congregation, and give the regular tokens of assent to the vows which Dr. Mason, in a solemn and affecting voice, laid upon her, while all the congregation seemed hushed in the stillness of death; when I saw her untie the black ribbon under her chin that held on her hat, whilst the minister was descending from the pulpit to administer the ordinance; when I saw her hands hanging straight by her sides, one holding her hat, and the other a white handkerchief; when I saw her turn up her face to Heaven, and calmly close her eyes as the minister prepared to pour the consecrated symbol of grace; and when I saw her wipe the pearly drops, I thought that her gentle countenance shone as with a glorious transfiguration, and I swore in my heart, that with the help of the Lord, nothing but death should part us.' p. 33.

The author gives his principal character very deep religious impressions; he is devoutly persuaded that all his fortune, particularly his adversities, are especially ordered for his good; and much interest and beauty are given to this part of the story, by tinging the clouds of misfortune with the rays of religion. The prevalence of the yellow fever, and the death of Rebecca after the birth of a son, give occasion for the display of his deep moral sentiments and strong religious faith,

which are maintained through the book, and at the same time blended with sufficient temporal sagacity. The author shows an intimate observation of human nature, in exemplifying in his principal character, how strong and sincere religious opinions and sentiments may be unconsciously modified and accommodated to the circumstances and interests of the person, by whom they are entertained.

A personage is next introduced, upon whom the author seems to have bestowed some pains, namely, Mr. Zerobabel L. Hoskins, who was 'in his way, something of a Yankee oddity.' The general conception of this character is a little out of the common course, but he is ably sustained through the story, and though a caricature, is not so unlike any man that ever lived in this world, as to be entirely a figment of the author's brain. Having accidentally formed an acquaintance with our hero, Zerobabel politely proposes to supply the place of the deceased Rebecca by giving him in second nuptials his niece Judith; and after some amicable negotiations, the arrangement takes effect. We are afterwards carried through the adventures of the grocery business, the seed business, and the Jersey farm, to the catastrophe of Lawrie's concerns in New-York during the embargo and non-intercourse, when he is entirely ruined, and obliged to surrender at discretion to his creditors. His uncle Hoskins generously comes to his aid at this crisis, and supplies him with the means of beginning the world again.

He now proceeds to the new settlements, to which his attention was called by Mrs. Micklethrift, on board a North River steam-boat, who gave him much good advice in regard to emigration, particularly recommending to emigrants not to encumber themselves with chests of drawers and other cumbrous articles of furniture in their migration into the wilderness. Accordingly we soon find Lawrie lodged in the forest, fifteen miles from the nearest settlement, and, as we are to suppose from the preface, somewhere about the region of the present town of Rochester. This new settlement, being the nearest approach yet made by civilization towards their proposed 'location,' might, it seems to us, be the subject of a more graphic and distinctly colored description, than that given by the author.

'Of all the sights in this world the most likely to daunt a stout heart, and to infect a resolute spirit with despondency, that of a newly-chopped tract of the forest certainly bears away the bell. Hundreds on hundreds of vast and ponderous trees covering the

ground for acres, like the mighty slain in a field of battle, all to be removed, yea, obliterated, before the solitary settler can raise a meal of potatoes, seemingly offer the most hopeless task which the industry of man can struggle with. My heart withered as I contemplated the scene, and my two little boys came close to me, and inquired with the low accents of anxiety and dread, if the moving of these enormous things was to be our work. Fortunately, before I had time to answer their question, a sudden turn of the road brought us in sight of the village, where the settlers in all directions were busy logging and burning. The liveliness of this spectacle, the blazing of the timber, and the rapid destruction of the trees, rendered, indeed, any answer unnecessary. They beheld at once, that so far from the work being hopeless, the ground was laid open for tillage even, as it were, while we were looking at it, and we entered Babelmandel reassured in all our hopes.

'The village as yet consisted but of shanties and log-houses. The former is a hut or wigwam, made of bark laid upon the skeleton of a rude roof, and is open commonly on the one side, nigh to which, during the night, the inmates who sleep within, raise a great fire to keep themselves warm; some say to protect them from wolves and other wild beasts. Notwithstanding the rough appearance of the shanty, it yet affords a shelter with which weary axemen are well content. I never, however, had a right solid sound sleep in one, for, as they are open, I had a constant fear of snakes crawling in upon me; nor was it imaginary, for that very night, the first we passed in Babelmandel, the boys and I being obliged to make our bed on hemlock boughs in a shanty, had not well composed ourselves to rest, when Charley, the youngest, felt something like a man's finger wimbling in under his neck, and starting up, beheld a large garter snake twisting and twining where he had made his pillow. We were pacified in our alarm, by an assurance that it was of a harmless kind, but truly it will be a long time before I am satisfied that any serpent can ever be a commendable bed-fellow.' pp. 82, 83.

Our emigrant, having penetrated into the woods with his two boys, erected a cabin on a rising ground near the margin of a river, and within a short distance from a shanty, occupied by a number of backwoodsmen, who had embarked in the same enterprise. Having thus got a substitute for a house over his head, and kindled a fire, Lawrie began to have a foretaste of a very comfortable night; but

'About three o'clock the skies were dreadfully darkened and overcast. I had never seen such darkness while the sun was

above the horizon, and still the rain continued to descend in cataracts, but at fits and intervals. No man who had not seen the like, would credit the description.

'Suddenly, a sharp flash of lightning, followed by an instantaneous thunder-peal, lightened up all the forest; and almost in the same moment the rain came lavishing along as if the windows of heaven were opened; anon, another flash and a louder peal burst upon us, as if the whole forest was rending over and around us.

'I drew my helpless and poor trembling little boys under the skirts of my great coat.

'Then there was another frantic flash, and the roar of the thunder was augmented by the riven trees, that fell cloven on all sides in a whirlwind of splinters. But though the lightning was more terrible than scimitars, and the thunder roared as if the vaults of heaven were shaken to pieces and tumbling in, the irresistible rain was still more appalling than either. I have said it was as if the windows of heaven were opened. About sunset, the ground floods were as if the fountains of the great deep were breaking up.

'I pressed my shivering children to my bosom, but I could not speak. At the common shanty, where there had been for some time an affectation of mirth and ribaldry, there was now silence; at last, as if with one accord, all the inhabitants rushed from below their miserable shed, tore it into pieces, and ran with the fragments to a higher ground, crying wildly, "The river is rising!"

'I had seen it swelling for some time, but our shanty stood so far above the stream, that I had no fear it would reach us. Scarcely, however, had the axemen escaped from theirs, and planted themselves on the crown of the rising ground nearer to us, where they were hastily constructing another shed, when a tremendous crash and roar was heard at some distance in the woods, higher up the stream. It was so awful, I had almost said so omnipotent, in the sound, that I started on my feet, and shook my treasures from me. For a moment the Niagara of the river seemed almost to pause—it was but for a moment, for instantly after, the noise of the rending of mighty trees, the crashing and the tearing of the uprooted forest, rose around. The waters of the river, troubled and raging, came hurling with the wreck of the woods, sweeping with inconceivable fury every thing that stood within its scope—a lake had burst its banks.

'The sudden rise of the water, soon, however, subsided; I saw it ebbing fast, and comforted my terrified boys. The rain also began to abate. Instead of those dreadful sheets of waves which fell upon us, as if some vast ocean behind the forest was

heaving over its spray, a thick, continued small rain came on, and about an hour after sunset, streaks and breaks in the clouds gave some token that the worst was over—it was not, however, so; for about the same time a stream appeared in the hollow between the rising ground to which the axemen had retired, and the little knoll on which our shanty stood; at the same time the waters in the river began to swell again. There was on this occasion no abrupt and bursting noise, but the night was fast closing upon us, and a hoarse muttering and angry sound of many waters grew louder and louder on all sides.

'The darkness, and the increasing rage of the river, which there was just twilight enough to show was rising above the brim of the bank, smote me with inexpressible terror. I snatched my children by the hand, and rushed forward to join the axemen, but the torrent between us rolled so violently, that to pass was impossible, and the waters still continued to rise.

'I called aloud to the axemen for assistance; and when they heard my desperate cries, they came out of the shed, some with burning brands, and others with their axes glittering in the flames; but they could render no help: at last, one man, a fearless back-woodsman, happened to observe by the fire-light a tree on the bank of the torrent, which it in some degree overhung, and he called for others to join him in making a bridge. In the course of a few minutes the tree was laid across the stream, and we scrambled over, just as the river extinguished our fire, and swept our shanty away.

'This rescue was in itself so wonderful, and the scene had been so terrible, that it was some time after we were safe, before I could rouse myself to believe I was not in the fangs of a nightmare. My poor boys clung to me as if still not assured of their security, and I wept upon their necks in the ecstacy of an unspeakable passion of anguish and joy.' pp. 86, 87.

The truth of this description is but too well attested by the details given in the public prints of the recent disasters of a similar kind in Vermont. Having escaped this danger by flood, and made preparations for the coming winter, the settlers of Babelmandel—for this was the name of the new settlement—were in danger of a blight of all their fair hopes, by the no less destructive element of fire. Lawrie Todd had just constructed his house, and brought his wife and children to participate in the privations and hardships and hopes of the back-woods. While they were in the act of celebrating this event in their domestic devotions,

'A sharp, shrill shriek, wild and piercing, came from the village; imputing it to some frolic among the younger settlers, I heeded it not; it disturbed not the earnestness of our devotion. In less than a minute after, a similar cry was repeated, and caused me to pause in prayer. This was followed by a terrible hissing, hurrying, and crackling noise, something like the rushing sound of many sky-rockets, but immeasurably greater, followed by a hundred vehement voices, screaming "fire!" Starting from my kneeling, I ran to the door in alarm, scarce conceiving what the cry of fire in the wilderness could portend.

'The woods were on fire! The scene of horror was at some distance behind the house, but the remorseless element was rising and wreathing in smoke and flame on all sides. The progress was as a furious whirlwind; to arrest, or to extinguish, seemed equally impossible.

'The unfortunate settlers were flying in all directions with their moveables; but the fallen leaves, kindled by the fiery flakes that fell showering around, intercepted their flight, and obliged many to abandon their burdens; for, as with the Egyptian hail, fire ran along the ground: sometimes the flames ascended with a spiral sweep at once from the roots to the topmost boughs of the loftiest trees; at others they burst out in the highest branches at a distance from the general burning, as if some invisible incendiary was propagating the destruction. Aged trunks of hollow elms and oaks took fire within, and blazed out like fountains of flame; and all around the sound, like the rage of a hurricane and the roaring of seas upon a shallow shore, grew louder and louder.' pp. 94, 95.

The settlement, however, in consequence of a change of wind, escaped the danger, and the settlers were benefited, instead of being injured, by the conflagration, which assisted them to clear away the forest, and bring their lands into cultivation; though Lawrie was less fortunate than the others, in one respect, for his new *framed* house caught fire and was consumed. But he plucked up courage, and, with the help of his neighbors, built another, in which he was enabled, after all, to keep the winter at bay.

The next disaster was a domestic affliction, which he learned on returning home from the neighboring settlement of Olympus.

'As we approached the shanty, I discovered a light, which did not surprise, but it grieved me, for I augured from it that the child's sufferings had not been mitigated. As we, however,

drew near, I saw it was a short distance from the shanty, under a large elm, which then stood near the spot where the rivulet falls into the river, and that there was no one in the shanty but Robin, with his arm under his head, asleep; to which, poor lad, he had, no doubt, been soundly invited by his day's hard labor.

'The candle was burning in a niche, scooped for the purpose, in the trunk of the elm, and between us and it I discerned a small rude shed, covered with bark, forming a canopy over a little bed covered with a white towel. My child was dead, and her mother, with the other two sorrowful girls, were sitting in the shadow of the tree, watching the corpse, and wearying for my return.

'As I came close up to them, two men, armed with guns, came from behind the tree. Amidab Peters was one, and a settler, whom I did not know, the other. After speaking a few words of condolence to my wife, I expressed my surprise to Amidab at seeing him there at that time of night and armed, thanking both him and his companion for their attention, and saying I would watch the remainder of the night myself.

'"But one," said Amidab, "is not sufficient; it will require two, for we have already been twice scared."

'"Scared!" cried I, "by what? who have we to fear?"

'"The wolves," replied the stranger, "they scent the dead afar off. We had not been here more than ten minutes, when one looked at us from the other side of the rivulet; we saw him plainly in the moonshine, and scarcely had we frightened him off, when we heard another howling from the opposite bank of the river."' pp. 98, 99.

We pass over the installation of the schoolmaster, Herbert (a well-imagined and well-sustained character), Lawrie's being lost in the woods, and other incidents in the progress of the village, and hasten forward to meet our old friend, Hoskins; who is by this time on a visit at Babelmandel for the winter, during which a bear also makes a visit to his new neighbors, and is very near making an end of Hoskins, and ruining the whole plot of the story; but, as it happens, the story is the better for the adventure, and Hoskins, though a little the worse for too hearty an embrace of the new visitor, yet, by the help of his good fortune and Lawrie Todd, armed with an axe, gets off without any mortal hurt, and claims the bear's skin as his trophy.

An arrangement is now made between the uncle and nephew for opening a shop in common, and affairs at Babelmandel begin to wear a promising aspect. Those of the story

are no less prosperous, for it gains an accession of two new characters, in Mr. Baillie Waft, the perpetual tormentor, in a small way, of Mr. Todd, to the end of the chapter, and Mr. Bell, the minister, a powerful preacher, and, at the same time, a gloomy man, of fierce passions, which finally degenerate into a perverse and wicked insanity. Each of them is out of the common course, original and striking, and they are both in general very well managed, and contribute materially to the interest of the story; to which we must refer our readers for a more particular acquaintance with them, as we have only room to notice in detail the adventures of the leading personage.

The affairs of the shop being put in train, the stirring, adventurous old uncle began to range about the forest day after day. 'Can the old gentleman be looking for a gold mine?' said Mr. Todd to himself. At length a pleasure party of the men, women, and children down the river is projected, and a canoe is shaped and hollowed from the trunk of a large tree for the purpose. But the excursion, as often happens in similar cases, proved any thing but a party of *pleasure* to Lawrie, who was haunted during the whole day with the portentous import of a dream of Baillie Waft, of which he knew nothing, excepting that the Baillie had had a dream. 'I have had a dream,' said the Baillie, as the canoe pushed off from the bank, to which Lawrie gave little heed, but the canoe no sooner began to descend the current, and the delights of the excursion along the winding and gloomily shaded channel to commence, than 'I have had a dream,' echoed to his sensorium. What could it be? Something ominous certainly; and he had half a mind to paddle back his bark to unfold the mystery, and learn with what dire fates it was freighted; but the current had by this time borne him out of sight and hearing of the ominous prophet, and he was now too far drawn into the vortex of his destiny to recover himself. He must push forward and learn the dreadful secret by experience, with '*I have had a dream*,' ringing in his ears, during the melancholy intervals of his party of pleasure.

And the Baillie's dream was to some purpose, for they had scarcely proceeded thirty miles in their swift career of delight, under the 'boundless contiguity of shade,' when the steep rocky banks on either side began to pass by them, up-stream, with a quiet and quick rapidity, and the canoe seemed to be seeking the goal of its course by the irresistible impulse of

some mysterious instinct. They had glided a short time with this facile celerity, when the deep-rolling thunder of the cataract below interpreted the Baillie's dream, and revealed to them their fate. They could not resist the current, and by veering towards either side, they would only reach a steep impracticable bank. There is, however, a ray of hope, for Lawrie has, at this crisis, but just got past the middle of the first volume; they might else have gone over the falls. The destiny of the story predominated over the boding of Baillie Waft's dream, in this way: the stream, which seemed to be made for their destruction, had been long undermining a tree on the nearer bank, at some distance below, which, very opportunely for them, just then gently swayed over into the current, still hanging by the roots, on which they had hardly escaped to *terra firma*, when both the tree and the canoe were whirled away in the swift destruction, which had been all but prepared for themselves.

In the course of this adventurous expedition they discover an admirable situation for a new town and determine to found a settlement upon it. Their plans are, however, suspended for a short time by the sickness and decease of Lawrie's wife, which gives occasion to one of the best wrought scenes in the book.

'The fever continued to rise, and on the morning of the fourth day after the departure of Charles and Mrs. Hoskins, Dr. Phials, the medical man, warned me to look for the worst. Although I had watched the progress of the calamity with an apprehensive heart and an eager eye, I was yet greatly shocked at hearing this, and spoke to her uncle about getting the family brought to see her; but he would not hear of it, because of its uselessness, and the expense. He was a man that had more consideration for the common sense of matters and things, than for delicate sensibilities. But for all that he had a sterling heart, and did every thing in his power to lighten my anxiety.

'"I ain't," said he, "slick at the gruelling of sick folks, but I can ride and fetch doctor's stuffs," as he really did; for, one morning, he borrowed a horse from Mr. Hopper, the miller, and rode seventeen miles for a supply of Jesuits' bark, which could not be obtained nearer: and he waited on, with great patience, to see the upshot of the fever, saying but little to me of his projects while the life remained.

'At last, the signals of dissolution began to increase, and hope was banished; but I will not ask the courteous reader to partake

of my distress, though an inward and parental sorrow it was, causing me to grieve more on account of the helplessness in which my two young daughters were to be left motherless, than for the loss I was myself to experience. It was not like the anguish that pierced my heart with barbed shafts, when the beautiful spirit of the beloved Rebecca was wafted away into the regions of light and love; but it was a black and heavy sense of a calamity, admonishing me to summon up my fortitude, and to bow the head of resignation to the will of Him that giveth and taketh away.

'The time of departure was visibly come. It was about two hours after sunset. The patient wrestled strongly against being carried so suddenly away, for she knew her condition, and often in her struggles cried piteously for her children, stretching out her arms as if she saw them standing by. Hers, indeed, was a parent's heart; and the landlady, being of the Methodist line, was disturbed that she should seem to think more of her forlorn daughters, than of the glories of the paradise on which she herself was about to enter—but Mrs. Petrekins had never been a mother.

'Sometimes the victorious adversary of life paused, as if wearied with the contest, and prostrate nature on those occasions seemed to rally, but the intervals of respite grew shorter and shorter. The helps were no longer administered, for they could not mitigate her sufferings. We stood round the bed watching and silent, as feebler and feebler the flashes of the burnt-out candle were sinking in the socket.

'With the last, she turned to the old man, saying, "Be kind to my babies," and drawing a long deep sigh, lay still forever.

'During all this time Mr. Hoskins stood on the side of the bed opposite to me, looking calmly on; his countenance was unmoved; and once or twice, when I chanced to turn my eyes toward him, he appeared so cool and phlegmatical, that I felt a pang in my heart, to think her nearest kinsman, on such an occasion, should be so heartless.

'All being over, Mrs. Petrekins, the landlady, with another woman whom I had procured to assist, reminded me that we ought to leave the room to them, and I accordingly moved to retire; but the old man, not having heard them, remained still looking steadily, but with the same seeming indifference, upon the body.

'"Sir," said Mrs. Petrekins aloud, "it is necessary that for a time we should have the room cleared," and she went round and touched him on the arm.

'It was like electricity; it roused him from his stupor with a shudder, and caused him to step two paces backward; in the

same moment he turned his eye wildly on me, and burst into a violent flood of tears.

'The sight of that wooden old man, as I had often spoken of him in jocularity, weeping like a woman, and fondling over the face of the corpse with his hand, as if he had been an innocent child gently trying to awaken its sleeping nurse, surprised me with inexpressible grief. Till that time I had been enabled to preserve my self-possession, and to witness the progress of the dispensation with resolute tranquillity; but such tenderness so suddenly discovered in that dry bosom, overwhelmed my fortitude, and forced me also to weep. The women, with the wonted sympathy of their sex, were no less affected. It was some time, and not without remonstrance and entreaty, that they at last succeeded in leading the sorrowful old man away.' pp. 136—138.

Lawrie and Hoskins then proceed to their 'spec' of establishing a new town at the falls, which succeeds wonderfully, so that before the conclusion they 'have a numerous village of some two or three thousand inhabitants, two religious congregations, a bank, and two newspapers.' The new town of Judiville thus justifies the pompous ceremonial of its foundation, which was celebrated by the intoxication of Baillie Waft and the firing of sundry wooden cannon, made by Mr. Hoskins expressly for that occasion. We must, however, pass over its history in silence, and omit to notice many good scenes between Lawrie Todd, Hoskins and Baillie Waft, and others, in which Herbert, and the minister, Mr. Bell, bear a part.

One trait in Bell's character illustrates the penetrating sagacity and just observation of the author. He is made to be savagely austere towards the vices and faults of other persons; a disposition which is too apt to pass with the world as an indication of purity of character, but which is more justly accounted for in this instance from the circumstance that he had himself been guilty of a youthful indiscretion, and still harbored in his bosom the fiercest and blackest passions, which he in vain endeavored to assuage and control. We would not intimate, that persons of sincere rectitude of purpose, and a virtuous and benevolent nature, regard the vices and moral delinquencies of others with complacency or indifference; they are on the contrary kindly solicitous to reclaim wanderers by earnest persuasion unmingled with hate or bigotry, and even to punish where humanity to the community dictates a severe justice upon the offender. But a busy, meddling, per-

secuting intolerance, or a fierce, gloomy indignation against every seeming deviation from good laws and exemplary manners, are unequivocal indications of latent, unsubdued depravity of nature.

A contrast is made in this respect between Herbert, who is really of a good disposition, tempered with discretion, and Bell, who is a gloomy Protestant inquisitor, of wicked austerity. Todd had received a letter from New York, giving him an account of some indiscretion of his son, and his concern in an affair no less serious than a duel. Speaking of Bell, the minister, he says,

'He was, indeed, a man who looked upon young follies with an austere aspect, so much had he suffered by his own in the outset of life; and I had by this time discovered, that under a saintly equanimity of manner, he had to manage vehement passions, which were chained, but not subdued. The natural man was yet strong within him; even in the pulpit, when he prayed to be protected from temptation, there was in his petition a something of energy and dread that thrilled deep among the awfullest sympathies of his hearer's hearts.

'It was some time before I could guess at the cause of this prophetical contention, for such it seemed to me; but when I came to know his wife better, which was not until I had moved to Judiville, there could be no doubt that his hearth was an altar of continual self-sacrifice, and that he had patched up a peace with decorum by his marriage, at the expense of his happiness, and the dignity of his mind. All this made him, as it were, inaccessible to the common matters of worldly care; he was an oracle only to be consulted at solemn times, and in perilous emergencies; so that I would have been just as well pleased could I have conferred with Mr. Herbert by himself, concerning the contents of Mr. Ferret's letter.

'Mr. Herbert came at the bidding, and Charles soon after returned and took a stool in a dark corner of the room unobserved by me, otherwise I would not have permitted him to remain; for it is not fit that the young hear what the old think of youthful errors.

'After some light generalities, I handed the letter to Mr. Herbert, and requested him to tell me what he would advise me to do. When he had studiously perused it, he gave it to the Minister, at which I was a little disconcerted, not wishing that he should become exactly a party to the consultation, though he was accidentally present.

'Mr. Herbert said nothing while Mr. Bell was reading; but I

was startled when the reverend gentleman, having finished the perusal, laid down the letter on the table, and without making any remark, left the room.

'"He takes this matter too seriously," said Mr. Herbert.

'"I wish he had not been here," was my answer: "but since it has so happened, I will call him back." Accordingly, I went to the door and brought him in again. Mr. Herbert was the first who broke silence.

'"It is not to be disguised," said he, "that the poor lad has fallen into some irregularities, but it is equally clear he has committed no very heinous offence."

'"Against the world," interrupted Mr. Bell, sternly; "but what has he done against himself?"

'"I trust nothing that requires any particular animadversion," replied Mr. Herbert, calmly.

'"He that spareth the rod, hateth the child," interposed the Minister, in a still more emphatic strain; and turning to me, added, "Let him be brought home immediately, nor let him enter the world again, till he is better able to take care of himself."

'"I can see nothing in the statement of Mr. Ferret," said Mr. Herbert, evidently surprised at the Minister's warmth, "to justify so decided a step; we cannot put old heads on young shoulders; I think, from what I know of the generosity of the boy's disposition, that a kind admonition from his father will have a great effect."

'"Yes, it will," replied Mr. Bell; "it will have a great effect—it will be his ruin."

'I had hitherto said nothing, but there was an abrupt harshness in this that really shocked me, and I could not help remarking that Mr. Ferret's letter gave no reason to fear any thing so disreputable as to call for punishment.

'"No," rejoined Mr. Herbert; "and if you punish without guilt, or if you punish beyond the penalty due for the offence, you supply a motive, a vindictive motive, to perseverance in error."

'This sentiment, dictated by humane feelings and good sense, Mr. Bell condemned in strong terms; and the drift of his observations was to the effect, that the youth himself would one day turn upon me, and cause me to rue beneath his reproaches the fatal indulgence of his first fault. He then launched into a vehement discourse on the delusive light in which the first fault is often viewed, and worked himself into such zeal, that I sat amazed: while Mr. Herbert, evidently no less surprised, interposed, and began to remonstrate against the cruelty of unrelenting justice.' pp. 181—183.

With this extract we close our brief notice of this entertaining little work, and beg leave to recommend it to our readers as a lively and correct description of the details of the process by which the 'woods are bowed beneath the sturdy stroke' of the adventurous emigrant, and the reign of civilisation extended over the vast solitudes of the unexplored wilderness.

ART. VI.—*Speeches on the Indian Bill; viz.—Of Messrs. Frelinghuysen, Sprague, and Robbins, in the Senate of the United States; and of Messrs. Storrs, Huntington, Bates, Everett, and others, in the House of Representatives, in the months of April and May*, 1830. Boston.

Perhaps no question, since the organization of the general government of the United States, has attracted more attention among the thinking members of our community, than the present controversy respecting Indian rights. Other questions have borne a more immediate relation to the present interests of the people. Embargo, war, commerce, the triumph of one political party and the defeat of another, are topics in which the mass of the inhabitants of a free country feel a deep interest, and on which they express their feelings strongly and simultaneously. It cannot be expected, that the condition of a few tribes of secluded Indians should at once claim and secure the sympathies of millions, who are occupied, if not engrossed, by their own pursuits, and who spend little time in contemplating the sufferings of men whom they never saw, or in attempting to redress grievances, which are totally different from any that are likely to be imposed upon themselves. Yet, with all the disadvantages of their situation, the Indians have found many thousands among the most intelligent, virtuous, and honorable of the American people, who would deal justly and faithfully by them, and who would make personal sacrifices of time, labor, and money, to protect and defend their rights. Indeed, so far as the people of the United States understand the subject, and are free from the influence of violent political partialities, their feelings are almost universally favorable to the claims of the Indians. All profess to wish well to the remnants of tribes still among us, and doubtless the great majority, with the qualification just mentioned, are sincere in their professions.

On the subject of the rights of the American aborigines, there has been much loose reasoning, and some quite as loose morality. It will be found, however, that respectable writers have more frequently been led into error by stating extravagant cases, and raising imaginary difficulties, than by examining the foundation of title to lands, or by looking at facts, as they took place on the settlement of this country.

Much of the writing on the subject has been provoked by vehement and sweeping censures of the conduct and policy, pursued by colonists from Europe. The occasion of these censures, it was supposed, could be removed in no other way, than by making out for Europeans a paramount title, partly on the ground of superior civilisation, and partly because they were commonly in the habit of using land for tillage, which was not generally done by the original inhabitants of America.

It is to be remembered, also, that self-interest has always been able to engage advocates to enlarge, fortify, and defend, the pretensions of the whites; while the Indians have had no logicians to expose the sophistry of those, who would make 'the worse appear the better reason;' nor counsel, learned in the law, to study and plead in their behalf; nor historians to gather up and preserve the evidence of acknowledgments in their favor, or of the wrongs they have suffered. Orators they have had, the power of whose eloquence has a thousand times frustrated the schemes of the greedy speculator and the intriguing agent; but these schemes were always renewed and repeated till they became successful. The eloquence, by which they were resisted, was evanescent; but the motives by which they were prompted, never ceased to operate.

The discussions of the last nine months, especially those upon the floor of Congress, have brought before the public, it may be presumed, all the theories upon the subject of Indian rights, that have ever been promulgated. We are not able to mention a political measure, or a legislative act, that exhibited in Congress more decisive proof of elaborate investigation, than appeared in the debates on the bill to provide for the removal of the Indians. In preparing the present article, we have made free use of the materials supplied by these discussions, whenever they appeared to suit our purpose.

The question that presents itself, at the very threshold of the discussion, is, *What were the relative rights of the North American Indians, and of the early discoverers, to the lands of this*

continent? On this question we shall briefly express an opinion. It will be satisfactory to ourselves; though we would by no means enforce it dogmatically upon our readers. When disentangled from all extraneous topics, it is a question on which every honest and intelligent man can easily form an opinion for himself.

We say, then, that the discoverers of America had a right to take possession of such parts of this continent, as they found unoccupied by human beings. This right they derived from the Creator of the world; and it cannot be disputed. But when they found portions, (even if those portions amounted to the whole,) occupied by the original inhabitants, the discoverers had no right to eject the possessors. How is it conceivable, that the mere discovery of a country should give the discoverers a title paramount to the title of natives, whose ancestors had been in possession from time immemorial? The mere statement of the case shows the inherent absurdity of a claim, which has been so often made, that many people seem to think it reasonable.

But, it will be asked, is an Indian to hold possession of a country, merely because he once chased a deer over a tract containing a thousand square miles? Were we disposed to be captious, we should answer this question by asking, whether a ship-master can *take* possession of land by sailing within sight of it? The Indian may as well hold possession in one case, as the ship-master take possession in the other. The fact is, that neither of these acts amounts to a possession.

Let us make this matter a little more practical. We will suppose that an English discovery ship, followed by a little colony, sailed along the coast, from the bay of Fundy to the mouth of Penobscot river; and, finding no inhabitants, landed there and began a settlement. After a few months, an Indian visits the new comers, and tells them that they are occupying his land, to which he can by no means consent. They ask him, by what right he claims the land; where he lives; and what his employments are. He frankly replies, that he claims the land between the Penobscot and the bay of Fundy, because some ten years before he spent a month there in hunting and fishing; that his principal residence is on Connecticut river, where he has a little patch of corn and pumpkins; that he sometimes visits Hudson river and lake Champlain; but that he probably never should have come to the Penobscot

again, unless he had heard of intruders taking possession of his land.

The colonists, if they were kind-hearted and honest men, would hear him patiently, and assure him, that they did not intend to encroach upon any man's land; that he had not made out a title; that he neither had possession of the land, nor had he the slightest pretence for desiring it; that they would not molest him upon Connecticut river, and he must not molest them in their new settlement. If, in such a case, the Indian were to collect his countrymen and make war upon the colony, he would be the aggressor; and the colonists might as properly defend themselves against him, as against any other assailant.

It ought to be said here, that probably no North American Indian was ever so silly, as to make a formal claim, like the one which has been described. The case was stated, in order to answer the question so triumphantly asked by various writers, whether the chasing of a deer over an immense tract of country gives the Indian a right to exclude civilised men from that tract? It is plain enough, that a single hunting excursion is not an actual possession, though it is a great deal more than a mere discovery from a ship's deck; and it would furnish quite as valid an objection to a new settlement by civilised men, as to a new appropriation to purposes of hunting by other Indians.

We do not deny, that there may be cases, where discoverers may be debarred from taking possession of unoccupied lands, on the ground that they might probably be dangerous neighbors. If honest and reasonable fears were entertained on this score, by the original inhabitants in the vicinity, the new comers ought not to complain, if required to give proof, by a just and humane intercourse, of the most upright and honorable intentions. We go upon the assumption, that honest men can always establish a character for honesty; such a character, as that other men, civilised or uncivilised, will not be afraid to trust them. Certainly the inconvenience is much less, that colonists should be obliged to establish a character for themselves, than that the native inhabitants of a country should be obliged to take every adventurer to their bosom, without stopping to ascertain whether he is a viper or not.

We have supposed a case of unoccupied lands. It is believed, however, that very few such tracts were found by the

early discoverers; and that these few were of very small dimensions. The American continent was generally, though sparsely, inhabited; and most of the inhabitants had a permanent residence, within known limits. We will therefore look a little at facts, as they existed on the Atlantic coast, during the seventeenth century. Colonists arrived in rapid succession. The natives were in the actual occupancy of the soil. Their possession was in no sense fictitious, or constructive. There were multitudes of places, which had not been vacant of inhabitants from the times of the remotest tradition. Other places were visited periodically, and regularly, for purposes of hunting. It appears to us, that both these kinds of possession were perfectly good; and that an attempt to divest the natives of their country, thus in their possession, on any plea of discovery, is not only monstrously unjust, but is an insult to the common sense of mankind.

We shall be asked, whether this continent should be left in a state of perpetual wildness, covered with interminable forests, and unsubdued by the labor of man? We simply answer, that the plainest rules of morality forbid us to appropriate to ourselves the property of others without their consent. The question about excluding civilisation from a whole continent is a very imposing one. It proceeds upon the assumption of some vast state necessity, some uncontrollable urgency of the case, which could not be resisted without opposing the manifest designs of Providence, and disregarding the comfort of mankind. But this assumption is altogether a mistake. The natives of America, whenever kindly treated for any length of time, were easily induced to receive European settlers as their friends. The question has no practical application to the natives at all. They did not keep perpetual guard on their shores to drive off new settlers. Many of them felt gratified to have white men come and share their country with them. In short, there was little difficulty in obtaining from the natives an honest and peaceable possession of lands, on every part of the coast. The necessity, therefore, which makes so prominent a figure in all discussions of this subject, never existed. Should the question still be pressed, and should we be required to answer what we would advise, in case a new world should now be discovered, the inhabitants of which should pertinaciously refuse to sell their lands, or to admit strangers, we reply, that no code of political morality

should be introduced into the new world, which was not held to be sound and genuine morality in the old.

If, in the sixteenth and seventeenth centuries, the sovereign of a populous country might take possession of a sparsely settled territory belonging to his neighbor, merely because he could put the land to a better use than his neighbor was inclined to do, Europe might have afforded opportunities enough to carry the principle into practice. Large portions of Prussia, Poland, and European Russia were at that time very thinly inhabited. When such a chapter had been fairly inserted in the law of nations, and had been found convenient in its application to such a power as Russia, it would be quite soon enough to force it upon the natives of America. The Christian powers of Europe made what they called the Law of Nations. Why not first apply their own law to themselves? If it may be forcibly demanded of a community, which has much land and few people, to give a part of its land to a populous neighbor, why not make a great international agrarian law, by which Europe should be parcelled out to the different nations, in a compound ratio, having regard to the number of souls, and the relative productiveness of the land?

Even in our own days, there are many places upon the Eastern continent, where land might be claimed by all the arguments, which are set in such formidable array against the possession of the American Indians. Vattel speaks of 'erratic tribes.' How many hundred erratic tribes of Tartars are there? How many of Arabs? The Tartars (at least many of them), pay no attention to agriculture, and are scarcely more civilised than were the associates of Powhatan, or king Philip.

The fact is, that the great title to land, from the days of Noah to the present time, both in respect to communities and individuals, has been a *lawful occupancy;* that is, an appropriation to one's own use of what previously belonged to nobody; or a possession fairly derived from a previous lawful possessor. The formality of deeds, and covenants, and guaranties, has respect to the evidence of title, and not to the substance of it. Over a great part of the world, indeed, the law of the strongest has been the only governing rule of action. But wherever nations, or individuals, have pretended to respect each other's claims, and to act upon principles of moral rectitude, the title

to property has not been made to depend upon the use to which the possessor applies his property. He must, indeed, so use his own as not to injure his neighbor; but more than this he is not required to do. Nations are not to be asked, whether they gain their subsistence by hunting, pasturage, fishing or agriculture, before it can be determined, whether they have a title to their own country or not. The only question, which an honest man need to put, is, Have you a lawful possession of a country within known boundaries? If this question can be answered in the affirmative, the whole matter of title is forever at rest.

The United States would contend with a very ill grace for the doctrine, that unsettled lands may be seized by those, who need them for the purpose of cultivation. How many millions of the people of France, Germany and Ireland might appropriate to themselves good farms in the States of Indiana, Illinois and Missouri? Why should they not take immediate possession and set up their own forms of government?

It is worse than idle to say, that an uncivilised man has not the same title to property, that a civilised man would have, in the same circumstances. There is not, there never was, a law of nations that explicitly made this distinction. It is admitted, that an Indian has as good a title to his canoe, as an English merchant to his ship. Why not as good a title to his landing-place, his little island, and his wigwam, as an English gentleman to his park and his villa?

When the colonists landed on the American coast, they brought with them charters from the kings of Europe. It may be worth while to spend a few moments in the inquiry, *What were the legitimate uses of these instruments?*

It is very obvious to the attentive reader of history, that the right of discovery was set up by the maritime nations of Europe rather against each other than against the aborigines of America. The master passions of ambition and avarice were excited and inflamed to an astonishing degree; and all the great discovering powers aimed to grasp as much as possible of the new continent. Spain and Portugal could not engross the whole. England and France would come in for a share. In these circumstances, it became gradually established, that one power should not interfere with the settlements of another; and boundaries were agreed upon, within which the subjects of the respective powers might, exclusively of all

other Europeans, carry on their commercial enterprises, and make their respective settlements.

Stipulations of this kind were mutually beneficial. They prevented many collisions, and were neither in themselves, nor in their tendency, injurious to the natives. Still, the adoption of such a course was entirely optional with the discovering powers. Any one of these powers, in accordance with the principles already stated, might take possession of any unoccupied land upon the American continent; or might purchase of the natives any land not previously sold by them to Europeans. How far a possession, thus lawfully obtained, should extend in every direction, would be a matter of sound judgment, or of reasonable construction. The Spaniards were not entitled to be the sole visitors of America, merely because Columbus discovered it. The fact that Henry Hudson entered the river, which now bears his name, furnishes no good reason why new settlers from four different nations might not have obtained lawful possession of Long Island, Connecticut, New Jersey, and the west bank of the Delaware. All that an infant colony could rightfully demand of other infant colonies, was, that they should not plant themselves so near, as to cut off those resources, which were necessary to its existence and its comfort. If there had been no conventional arrangement, therefore, between the sovereigns of Europe, the subjects of any one of these powers might have made settlements upon any unoccupied lands, or upon any lands of which possession could be fairly obtained.

A charter granted by a King of England, for instance, to certain individuals among his subjects, legitimately implied the following things; first, that he would guaranty the territory, which he had granted, against the claims of any other European power; secondly, that he had not granted, and would not grant, the same territory to others of his subjects; and thirdly, that the grantees were to hold the territory, when actually settled, as a part of his realm, under such principles of jurisdiction and legislation, as might be properly applied to other parts of his realm. So much would be fairly and naturally implied in giving and receiving a charter. Specific conditions might be inserted, at the pleasure of the King, which, if assented to, would bind the grantees; provided, however, that the conditions did not invade the inalienable rights of his subjects, nor of any other persons.

But nothing can be more extravagant than to suppose, that the charter of an English king could deprive of their rights the inhabitants of a distant continent; or that their title to land or rivers could be in the slightest degree invalidated by the magical effect of a parchment, signed by a man of whom they never heard, and who knew nothing of the regions which he conveyed, nor of the people by whom these regions were inhabited. Several of the charters conveyed territory bounded by lines of latitude, and extending from the Atlantic to the Pacific; and certainly the King of England had as good a right to take lands from the natives of California as from the natives of Cape Cod. If he could properly drive a Narraganset from his fishing hut, at the mouth of Newport harbor, he might seize the beaver-traps of the Sioux on the head waters of the Mississippi. If he might, by the mere force of his royal prerogative and as the head of a discovering nation, hold a single mile on the Atlantic coast, against the will of the original owners, he might seize and hold the entire continent, so far as the rights of the natives were concerned. To the consequences of such a doctrine we may advert on a subsequent page.

We have spoken of the legitimate meaning and effect of a royal charter. In point of fact, however, the kings of Europe did, in some instances, assert the right to subdue the natives by force, and to appropriate their territory, without their consent, to the uses of the colonists. The King of Spain founded this right solely on the grant of the Pope, as the vicegerent of Christ upon earth. The Kings of England, in the sixteenth century, placed it on the superior claims, which Christians possessed over Infidels. Spain acted in accordance with her principles, and treasured up a fearful amount of guilt and infamy, which will be remembered against her so long as the history of this continent shall be known. It is a pleasing consideration, however, that there were individuals, even in the court of Spain, who utterly disclaimed and rejected these absurd and tyrannical doctrines. Mr. Huntington, in the course of his researches on the Indian question, ascertained, that the civilians and crown lawyers of Spain gave their advice against receiving the Pope's grant; and 'one of the bishops in a treatise dedicated to Charles V., uses this strong language: "The natives of America, having their own lawful kings and princes, and a right to make laws for the good government of their respective dominions, could not be expelled out of them,

nor deprived of what they possess, without doing violence to the laws of God, as well as the laws of nations."'

This opinion is so obviously just and reasonable, that it would not seem deserving of particular praise, had it not been pronounced in a period of great superstition, and in opposition to the doctrines, then prevalent, of unbounded ecclesiastical and regal prerogative. But what words can express the indignation of every honorable man, that in the United States, and at the present day, the attempt should be made to prove, by the weakest and vilest sophistries, that the natives of America had no rights, either of territory or government; and that the discovery of a cape, or an island, was a constructive possession of a tract of land extending across the continent?

The charters given by British kings, during the seventeenth and eighteenth centuries, are generally silent respecting the natives. Lands, rivers, and so forth, are granted, in precisely the same manner, as if there had been no inhabitants. This course was very far from being honorable. The rightful occupancy of the Indians should have been explicitly acknowledged, and a fair and lawful manner of purchasing their title should have been prescribed. The very silence of the charters on this subject shows, that the extravagant claims of the sixteenth century were abandoned, as utterly untenable. It shows also, that there was a grasping desire on the part of the European monarchs, which was altogether unjustifiable, and a disposition to leave the Indians to the arts and the cupidity of adventurers. If religious persecution had not driven to these shores some of the best and most honorable men in the world, it is not improbable that serious encroachments would have been made upon the rights of the North American Indians, under color of the royal charters. A few details can be gathered from the early history of this country, which indicate an undue reliance upon these charters; but we have seen no evidence, that the Indians were, in a single instance, deprived of their lands, under any pretence of right to these lands, subsisting in the King of England.

It is true beyond all question, that the early settlers at Plymouth, at Salem, at Saybrook, and, as a general rule, all along the Atlantic coast, purchased the lands upon which they settled, and proceeded in their settlements with the consent of the natives. Nineteen twentieths of the land in the Atlantic

states, and nearly all the land settled by the whites in the western states, came into our possession as the result of amicable treaties. The small portion, claimed by right of conquest, was wrested from the Indians in strenuous war. It was no fictitious or constructive conquest. Every inch of ground was contested; and most of the wars, which issued in acquisition of territory from the Indians, were forced upon our fathers, and were strictly defensive on their part. Some small portions of territory were abandoned by Indians, because they preferred to live at a greater distance from the whites.

In a word, the first settlers of the Anglo-American colonies, and of the Dutch colony on the Hudson, purchased lands of the Indians, or professed to have purchased them, in the most honorable manner. Although doctrines were sometimes asserted in theory, which would have abridged the rights of the Indians, yet we do not find in practice a single demand of territory from them, on the ground that the king of England had granted it to some of his subjects. The practice was all the other way; and every purchase of land from the Indians was made in such a manner, and under such circumstances, as to be a fair and full admission of their *right to sell;* and, of course, an admission of their original title.

At an early period of the settlement of Massachusetts, as we learn from Hutchinson's history, the most ample and explicit declarations were made by our fathers to this effect; viz. that the natives had derived from God a perfect title to their country; that they were subject to their own government, and to no other; and that no human power could divest them of these rights.

Soon after the emigration commenced from Boston and its neighborhood to the banks of Connecticut river, murders were perpetrated by Indians residing not far from Springfield. The governor sent to Mr. Pynchon, the magistrate or leading man of the new settlement, directing that the murderers should be apprehended for trial and punishment. Mr. Pynchon declined obeying the order; and, among other reasons, assigned the fact, that the Indians were not under the jurisdiction of Massachusetts. This fact is stated with admirable clearness, as follows: 'I grant that all these Indians are within the line of the patent; but yet, you cannot say they are your subjects, nor yet within your jurisdiction, till they have fully subjected themselves, (which I know they have not,) and until you have bought their land. Until this be done, they must be esteemed

as an independent, free people.' This passage indicates a discriminating mind and an honest disposition. It is in the true spirit of our declaration of independence, issued more than a hundred years afterwards, in which we asserted, that governments derive 'their just powers *from the consent of the governed*.' In this extreme case of actual murder, committed by Indians near the white settlements, and within the chartered limits of the colony, this magistrate had the candor to admit, that the perpetrators were not amenable to the laws of the whites, because they had never subjected themselves to those laws. The reason was admitted by the governor to be valid. The only method of proceeding against the Indians would have been to demand satisfaction, and, if it should be withheld, and the cause should have been deemed sufficient, to declare war in the last resort.

It is true that the colonists, and sometimes the agents of the government at home, talked to the Indians about the grandeur of the English monarch, the number of his people, the greatness of his power, his willingness to protect his friends, and his ability to punish his enemies. In these discourses, some vague expressions about his sovereignty were doubtless uttered; but always in such a sense, as to lead the natives to think that it was a great benefit to live under the king's protection; that his character was altogether paternal; and that living under his care implied only, that Indians living in this manner were not to join the French or the Spaniards, and were to remain secure in the possession of their lands, liberties, and laws. No instance has met our eye, nor has it been intimated in the late discussions, that any instance can be found, in which an English colony, or an English agent, told the Indians, that they had no right to the lands on which they were born; that the king of England had granted their country; and that they were now subjects of the king, amenable to his laws; all their own laws and customs being abolished by his order. There would have been as little safety as honesty in making such a proclamation, at any period of the colonial history.

Treaties were made with the Indians from the first. Some of them were observed on both sides, with exemplary fidelity. When differences arose, and wars succeeded, the change of feelings and of circumstances was often owing to the improper conduct of individuals. Even war did not always, nor often, prevent a return to a regular diplomatic intercourse. Treaties

were made, in numberless instances, and in every part of the continent, founded on stipulations, which implied as much actual and rightful independence on the part of the Indians, as on the part of the whites.

About the middle of the last century, alliances with the Indians became very important, and were much sought by the English and the French. The terms of these alliances usually were, an engagement of protection, accompanied with presents, made by the European power to the Indians, and the admission of a qualified dependence by the latter. It was never understood, however, that the Indians were to be deprived of their lands without their consent, or that their laws and customs were to be in any manner affected. Before the commencement of the revolutionary war, the policy of Great Britain had become fixed and uniform on this subject. The Indians were not to sell their lands to individuals, nor to the enemies of the king. They were to live under his protection, and to remain secure in the possession of their hunting-grounds and of their independence. Whenever they were disposed to sell their lands, the government alone could purchase ; that is, the government, either of the colonies, or of the mother country, as the circumstances of the case might be. This right of pre-emption, and the cognate right of succeeding to the possession of any portion of the country which the Indians might abandon, or where they might become extinct, were claimed by virtue of discovery. All the principal tribes of Indians agreed, by formal stipulations, that they would not alienate their lands, except to the government.

Those who would stretch the right of discovery to such an extravagant extent, as not to leave the Indians any rights at all, allege, that the highest judicial tribunal in this country has decided, that the Indians have the occupancy merely, while the title to the land is in the government. From this statement, the terms of which seem not very favorable to the Indians, it is inferred, that the Indians have not, never had, and never can have, any title to their land ; and, as the supreme court is justly and highly respected for the correctness of its decisions, the next inference is, that, in point of morality, there is no danger of encroaching upon Indians, for they have no rights either of person or property. Now in this interpretation of the opinion of the court, there are several great mistakes.

As to the title of the European sovereigns to Indian lands,

as gained by discovery, the court simply declares what were the claims, laws, and practice, of the mother country and the colonies. The claims and the practice were uniform to this extent; viz. that the natives could not sell their lands to foreigners, nor to individual white men. Of course, the government could be the only purchaser, and the only successor to the Indian title. This right of pre-emption and of succession was called by the court *a seizin in fee*, or an ultimate title; it being the only remaining title, after the occupancy of the Indians should cease. The name given to the right of pre-emption could not in any manner affect the claims or the rights of the Indians, so far as the nature and the extent of their occupancy were concerned. The court considered the law to be as above described; and of course all judicial tribunals were bound so to declare it.

Not a few persons have supposed, that the mere recognition of the right of discovery, as above described, was tantamount to a declaration, on the part of the court, that the right of discovery, as claimed by European sovereigns, even in its greatest latitude, was reasonable, equitable, and binding upon the natives. This is a total mistake; and it originated from a misconception of the proper functions of a court of law. Such a court is bound to declare what the law is, and not what it should be. In every well regulated government, the legislative power is kept distinct from the judicial; and in Great Britain and America, this distinction is marked by plain and positive rules. A court can neither make, alter, nor repeal a law; nor does the announcement of a legal doctrine, or of an established usage which the court is bound to recognise, imply that, in the opinion of the court, such doctrine, or such usage, was originally wise and salutary. On the contrary, courts of law are often called to sustain and enforce particular acts of legislation, which the judges would by no means approve, if they were called to act as legislators.

It would be a hard case, indeed, if our judges were required to sanction, with the weight of their private character, as moralists, philanthropists, and Christians, all the laws, which, as parts of our code, they are bound to enforce. And, on the other hand, the laws of the country would be in a curious predicament, if they might be set aside, that is, repealed, by the court, whenever the judges, looking at them as philosophers or legislators, should deem them unwise or inexpedient.

The slave trade furnishes the best possible illustration of the subject. This trade was recognised as a lawful traffic by the highest courts of law in England, for a great length of time; and till it was made unlawful by positive statute. If a case had occurred in this country, (and, for aught we know, cases may have occurred,) it must have been pronounced a lawful traffic here, at any time previously to 1808. The same judges, who must then have sustained it as a legitimate commerce, must now declare it piracy, and sentence a man to be hung for engaging in it; and yet the private opinion of the judge as to its inherent enormity, may not have undergone the slightest change. Let it be understood, then, that the judges of the supreme court have only decided what the law is, respecting the right of pre-emption as founded upon discovery; but that they have not declared what they think would have been the wisest and best manner of regulating this subject originally.

For ourselves, we have no hesitation in declaring, that we consider the supposed right of pre-emption to be an encroachment upon the rights of the Indians. We cannot conceive how the sailing of an English ship in sight of Cape Cod should give the king of England any right to dictate to the Indians in Massachusetts, respecting the sale of their lands. We therefore hold, that these Indians might properly sell their lands to Frenchmen, or Spaniards, although an English vessel had sailed along the coast, and seen it, before the Frenchmen and Spaniards arrived.

Having said this, however, we feel bound to add, that the English government might lawfully prescribe on what terms English subjects should purchase lands of Indians; or it might forbid them to purchase as individuals at all. Great Britain and France might agree, that they would not purchase within certain limits; and such an agreement might be a great convenience to the parties, while the Indians could not justly complain of it. Proceeding one step further, the Indians might stipulate with the powers of Europe, that they would not sell their lands to individuals, but only to the governments respectively, with which the stipulations were made. Conventional arrangements of this sort might tend to peace, and to the promotion of the permanent interests of all parties. Such, very nearly, was the state of things, at the commencement of the revolutionary war.

The opinion, which we have expressed, as to the right of pre-emption, seems to us to be the obvious dictate of reason and honesty. How can one man assume the right of prescribing in what manner another man shall dispose of his own property? And how can there be one rule of morality and honesty for individuals, and another for communities? But we are willing to fortify our opinion a little by authority. About the middle of the last century, an English trader, by the name of Trent, purchased of Indians a large tract of land lying on the Ohio, and delivered them a considerable quantity of goods in payment. The deed was formally executed; and the contract was well understood by the parties. The question arose, whether this was a valid purchase, or not. Counsellor Dagge and Sergeant Glyn, two eminent English lawyers, gave a written opinion in favor of the validity of the purchase. They founded their opinion on the fact, that the Indians were the original possessors and true owners of the land. Of this opinion, dated in 1755, Patrick Henry, Benjamin Franklin, and Edmund Pendleton, gave their written approbation. There could be no question that, so far as the Indians were concerned, the sale was a good one, they not having at that time entered into any stipulation with the government not to sell to individuals. The only question seemed to be, whether Trent was not prohibited, by the regulations of his own government, from taking the grant. This was settled, we believe, (though we have not the authority at hand,) by the formal assent of the government to the transaction.

We have already remarked, that the mere act of buying land of the Indians was, in the circumstances of the case, an acknowledgment of their title. But it is alleged against our ancestors, that they obtained lands of the Indians at so cheap a rate, that it was no purchase at all; that this mode of acquiring lands was tantamount to a declaration, that the Indians had no title, and therefore had no claim to a compensation. These positions have been gravely taken and earnestly defended; and, as perhaps no subject has been more misrepresented and misunderstood, we think it worth while to spend a few moments in considering it.

The first settlers, it is said, gave the Indians for their lands only a few trifling articles, of little cost, and less intrinsic value; therefore the Indians were not admitted to have any title to their lands, and the contract was not binding on either party.

This is a fair specimen of much of the reasoning on the subject.

It seems strange, that the purchasers should plead, that a bargain is not binding on themselves, for the simple reason that they obtained the lands at too cheap a rate. One would think, that the other party could demand to be released from the terms, with a better grace. But is it not a maxim, in all civilised countries, that a man can *give away* his property, unless it be charged with the claims of his creditors? His consent, fairly and deliberately yielded, is all that is necessary to a transfer of his property. In cases where a valuable consideration is necessary, the amount is not material. In a conveyance of a house and land, the consideration is equally valid, whether it be five dollars or fifty thousand.

The great thing to be obtained of the Indians was their *consent* to the settlement of their country by whites. Many fair and honest arguments could be used with them, and were used in fact, to induce them to give their consent. They were treated altogether as reasonable beings, and not as brute animals. In every part of the continent, they showed themselves to be possessed of a very good share of natural sagacity. They were told that the settlement of Europeans among them, or near them, would be much for their advantage; that, in this way, they would have a regular traffic secured, by which they might procure articles of essential value to them; that they would thus greatly improve their condition; that the British king was powerful and would defend them against all foreign nations; that, if they would acknowledge him as their great Father, he would regard them as his children, and protect them against every species of injustice; and especially that their lands should not be taken from them, or settled, without their consent. These declarations, and many more of the same general nature, were made to the Indians, all along the coast. In some instances, they were persuaded by these arguments, much more than by the accompanying presents. They received the whites as brothers; they were proud of them as neighbors and allies. The cases were not few, in which strong personal friendships were formed between the red man and the white; friendships, which were maintained with perfect fidelity during the lives of the parties.

Now it appears to us, that such a consent is binding upon the Indians; and that, if not a farthing of property passed from

one party to the other, the possession of the whites, thus obtained, is good in law, in honor, and in conscience. Indeed, if the whites had been hired to come and settle, and the Indians had given the skins of all the beavers, which they could catch in ten years, as an inducement, the possession of the whites would not be the less lawful on that account; nor would the title of the Indians to their remaining lands be in the least degree invalidated, because they had freely given away a part, with the design of gaining kind and valuable neighbors.

If the Indians had a right to give away their lands, they surely had a right to sell them at a low price. But there was in fact, no reason to complain of the price. The settlers usually gave as much for land as it was then worth, according to any fair and judicious estimate. An Indian would sell a square mile of land for a blanket and a jack-knife; and this would appear to many to be a fraudulent bargain. It would, however, by no means deserve such an appellation. The knife alone would add more to the comfort of an Indian, and more to his wealth, than forty square miles of land, in the actual circumstances of the case. And as to the white purchaser, the land could be of no value to him, till he had made it of value by his own labor. It is matter of history, that the English colonists as a body, so far as they had property, were great losers by their settlement here. They were noble spirited men, and property was not their object; if it had been, they would have been egregiously disappointed. Not one in a hundred could have sold his house and farm, (either ten, fifteen, or twenty years after the settlement,) for as much as they had cost him, at a fair estimate of the labor bestowed, without reckoning any compensation made to the Indian proprietor.

It might be curious to ask these scrupulous men, who say that the Indians ought to have received a greater price for their lands, *How the proper standard could be fixed?* Our ancestors were not prophets. They were not certain but that their settlements would fail, as other settlements had failed before. If they should succeed, the settlers could not tell what the intermediate difficulties would be; nor how many reverses must be experienced before they should be successful. But suppose they had been assured, when Boston was settled by the pilgrims in 1630, that lands on Ann-street would sell for ten pounds an acre in 1670; that lands on Washington-street, between Summer and Bedford-streets, would rise to the same value before

1700; that lands in the west part of the peninsula would be taken up for building-lots soon after 1800; and that the site of an insurance-office in State-street would be sold for fifteen pounds a square foot in 1825. How would all this affect the price, which they were bound to offer to the Indians? By which of these prices were they to regulate their offers? These facts, seen with absolute certainty beforehand, would not have proved that the land, on which Boston has been since built, was worth a farthing in 1630.

There are millions of acres of land in the Carolinas, which would not at this moment be accepted as a gift; and yet, as a planter of credit and character assured the writer of this article, much of this land will produce, with very little labor, one hundred and fifty bushels of sweet potatoes to the acre. Two hundred years hence, it will probably bring a hundred dollars an acre. Perhaps some of those kind-hearted gentlemen, who think that our ancestors dealt hardly by the Indians, in giving them so small a price for their lands, would like to purchase some of the best tracts on the Columbia river; or, if they prefer an inland district, some of the best intervals near the head waters of the Yellow Stone. These tracts are now in the possession of Indians, and if any man thinks he ought to give the same price for them, as he would be obliged to give the present owners of lands on the Connecticut, or the Susquehanna, for an equal number of acres, he can doubtless act accordingly. The probability is, that within two hundred years, every acre of land in North America, which shall then be capable of cultivation, will command a good price.

Dr. Dwight has, somewhere in his travels, perfectly vindicated our ancestors from any just imputations on this subject. Among other facts, he mentions the following—One of the first settlers of Northampton, a few years after the settlement began, and the Indian title was extinct, made a bargain, in which it was left optional with the other party to take five shillings or several hundred acres of land in that town—the money being deemed a fair equivalent for the land, which was then the undisputed property of a white man. The whole matter is summed up by Dr. Dwight, in the very sensible and forcible remark, that land in America, when our fathers first came hither, '*was like water, too abundant to be the subject of price.*'

Perhaps it will be asked, if land was so abundant as not to

be the subject of price, how could there be any title to it? and why might it not be taken from the possessors without their consent? We answer, that the abundance of a thing has nothing to do with the title to it. A man worth a million of money has as good a title to the last dollar as to the first, though a very small part is necessary for the comfortable support of his family. The master of a foreign vessel, anchoring in the river Thames, fills his water-casks without asking permission, or making compensation. Does it follow, that the waters of the Thames are of no value to the British people, and that the government has no jurisdiction over that river? When this continent was first settled, a few square miles of land were of little consequence to the Indians; but it does not follow, that after all the most eligible parts of the continent have passed into the possession of the whites, the small remnants of good land now inhabited by the original proprietors are without value to them; much less, that they have no title to their land, because it is alleged to have been formerly of no value. The reason why land, in the possession of Indians, was formerly of little value, has long ceased to exist. Then, if they sold a tract, they had interminable regions remaining; now, they have not enough left to enable them to keep their community separate from the whites. As the quantity in their possession has diminished, its value has become enhanced as a matter of course. But neither the diminution of quantity, nor the enhancement of value, has any thing to do with the validity of the title.

Unless we greatly deceive ourselves, the candid reader of the preceding pages will agree with us in the following conclusions; viz.

That the original possessors of this continent had a perfect title to such parts of it as were in their actual possession, when it was discovered by Europeans;

That whether this title were recognised or not by English kings, or English courts of law, it should now be allowed in the fullest manner, by every correct moralist and every statesman;

That although discovery gave a right to take possession of unoccupied parts of this continent, it gave no right whatever to dispossess the natives of any lands, which were known to be theirs, whether used for hunting, fishing, pasturage, mining, agriculture, or any other purpose;

That the consent of the natives was necessary, before the whites could take lawful possession of Indian lands;

That although the kings of Europe might agree among themselves as to the limits within which they would purchase lands of the Indians, and might prescribe to their subjects, respectively, the manner in which purchases should be made; yet that the Indians were not bound by any of these measures, till they had voluntarily assented to them;

That the Indians, like all other people, are competent to bind their respective communities by compacts or treaties;

That, whatever doctrines may have been asserted in theory, the practice of the early settlers, and of those who succeeded them, were based upon the foregoing principles; and

That, previously to the American revolution, the right of the Indians to the peaceable occupation of their own country, till they should voluntarily relinquish it, was fully admitted by the government of the mother country and of the colonies, and was sustained by the deliberate opinion of some of the ablest men of the age.

But if we were to admit, that Indians had no right to their own lands when this continent was discovered, and that they were to be considered as without the pale of human society, and to be hunted down as buffaloes and bears, it by no means follows, that their character and relations would remain the same, after the white settlers had entered into friendly engagements with them. This, in point of fact, was always done by the settlers, at the earliest practicable moment. The language of the whites to the Indians was, 'we are brethren, children of the same Almighty Lord and Father of all. We have come to do you good. We wish to live in peace with you. As you have much land, will you not grant us a little, and admit us into your neighborhood?' The Indians answered, though sometimes with hesitation and fear, 'you may settle by our side, and you may have land within certain limits.' Compacts of this kind were made between the first settlers and the Indians, along the whole line of the Atlantic coast. From the moment, in which they were made, whatever the respective rights of the parties might have been previously, the question of lawful title should have been considered as forever settled. The Europeans had chosen to regard the red men as human beings, and not as buffaloes and bears. They had addressed them as reasonable beings, and found them accessible

to motives, and susceptible of love and hatred, hope and fear, gratitude and generosity. They had proposed friendly relations, and their proposal had been accepted. They had admitted a title in the original possessors, by accepting grants from them; and, by agreeing upon limits, they acknowledged the title of the Indians to all lands not purchased from them. No conclusion can be safer, or more unquestionable than that the bare assignment of limits between communities, with the declaration, reciprocally made, *the land on this side belongs to us, on the other side to you*, is an acknowledgment of a perfect title.

Not only is this the natural meaning of the act, but, in the first settlements of this country, it was often and solemnly *expressed* as the meaning; and no other meaning was ever assigned to it. Now with what face could the colonists, after having obtained a settlement in this manner, turn round upon the Indians, and say, 'you had no right to the land you granted to us; and you have none to the remainder? We shall take the whole.'

When the revolutionary war commenced, the colonists had reason to be apprehensive, that the Indians would be employed against them by the mother country. To the Indians our fathers were no strangers. Their modes of warfare, their history, their competency to enter into contracts, their claims to territory, were well known. With this perfect knowledge of their rights and their character, the first Congress, more than a year before the declaration of independence, directed 'proper talks to be prepared for the several tribes of Indians, with a view to engage their continued friendship, and their neutrality in the unhappy dispute with Great Britain.' In September, 1775, a treaty with the Six Nations was reported to Congress, and various resolutions were passed, all having for their object the maintenance of friendship with the Indian tribes, as independent sovereignties. In March, 1776, it was resolved, 'that Indians should not be employed as soldiers, in the armies of the United Colonies, before the tribes to which they belong should, in a national council, held in the customary manner, have consented thereunto; nor then, without the express approbation of Congress.' A more honorable stand could not have been taken by this most illustrious body. The national rights of the Indians were acknowledged in the fullest and yet the most delicate manner. Congress was not willing that

tribes should be exposed to retaliation and injury, on account of the acts of individuals; nor that they should be drawn into a war without time for deliberation, or without their consent.

In October, 1777, it was resolved, 'that it be earnestly recommended to the President and Assembly of the State of Georgia to use their utmost exertions to cultivate peace and harmony with the *Indian nations*.' The next year, a treaty was formed with the Delaware Indians, by which the parties bound themselves to perpetual peace and friendship, and to an alliance offensive and defensive. The United States 'guarantied to the Delaware nation all its territorial rights, in the fullest and most ample manner, as it hath been bounded by former treaties, as long as the said Delaware nation shall hold fast the chain of friendship.' Here is an instance of a solemn guaranty to an Indian nation, given in the extremest crisis of our nation's peril, and therefore under circumstances, which rendered it doubly sacred.

The transactions of the revolutionary Congress, in relation to the Indians, were very numerous; and they were all regulated by the principle, that Indian tribes were distinct communities, and had a perfect right to their territory, and to their own forms of government.

By the articles of confederation, all public intercourse with the Indian tribes was made a national concern; and the several States thus relinquished to the United States the right of making treaties with these tribes.

In 1785, the treaty of Hopewell was formed between the United States and the Cherokees. By this compact, peace was made, boundaries were fixed, and permanent relations established between the parties. The Cherokees consented to come under the protection of the United States, and of no other sovereign. Prisoners were exchanged; and it was agreed that no future acts of retaliation should take place, unless in the event of a manifest violation of this treaty; and then, not till after a demand of justice, and a declaration of hostilities. Intruding whites were abandoned to the Indians to be punished according to their discretion; and criminals, taking refuge in the Indian country, were to be delivered up to the United States for punishment.

From a mere reference to these topics it is manifest, that the national character of the Cherokees was admitted in the fullest sense; and that there was an implied guaranty of their

territory, inasmuch as definite boundaries were fixed, and white men were forbidden to transgress them. Against this treaty North Carolina and Georgia protested, on the ground that it was an exercise of power by the United States, not confided to them by the articles of confederation. The whole difficulty arose from different constructions given to the following sentence, in one of the articles: 'The United States, in Congress assembled, shall have the sole and exclusive right of regulating the trade and managing all affairs with the Indians, not members of any of the States, *provided* that the legislative right of any State within its own limits be not infringed or violated.' The 'affairs' of the Indians here intended are shown by contemporary history and legislation to have been their public affairs, or their intercourse with the whites. There is not the slightest reason to suppose, that it had any reference to the laws, customs and usages of the Indians among themselves. Some of the Indian tribes had been broken up, or dissolved, and the individuals were either settled among the whites, or wandered about without any fixed residence. By 'Indians, not members of any of the States,' were probably intended all the tribes, which remained upon their original territory, and in their original independence. The exact meaning of the proviso it seems not very easy to ascertain. It may have been this: viz. that it was not the design of the parties to these articles to restrain the legislative right of any State in regard to the Indians, but rather to leave the proper extent of this right to be afterwards ascertained. In point of fact, the several States had never exercised any right of legislation over Indians residing within fixed limits, upon their original territory. This had not been done, even in the oldest States, in reference to any considerable body of Indians, though several communities of this kind had been surrounded by white settlements, and were clearly included within the external limits of States. By every sound rule of construction, a *proviso* should not be so interpreted as to make the principal clause inoperative, unless such an interpretation be unavoidable. But as the chartered limits of the several States embraced all the territory within the United States, it is evident, that the framers of the articles of confederation must have supposed, that there were Indians within the United States, not members of the several States, nor subject to State legislation. As a controversy existed, in regard to the disposition, which

should be made of unappropriated lands, it is probable that much difficulty was experienced in framing the article now under consideration. Mr. Madison, in the Federalist, declared it to be 'obscure and contradictory,' and expressed his gratification that nothing like it had been introduced into the constitution.

The protest of North Carolina and Georgia was referred to a committee of Congress. An elaborate report was made in support of the power of the general government, as it had been exercised in the treaty of Hopewell; and that treaty went into full effect.

It should be understood, that these two States did not assume the positions now taken, that Indian tribes are not competent to make treaties; that treaties made with them are not binding; and that the several States may extend their laws over the Indians without their consent. The controversy was on the single point, whether treaties should be made with the Indian tribes by the United States; or by separate States with the tribes within their respective chartered limits. The State of Georgia was particularly desirous to make contracts with the Indians for the acquisition of their lands, without any restraint from the United States. But the committee of Congress, to whom the protest was referred, argued, that all public relations with the Indians are strictly a national concern; and that, as the nation was called upon to conduct wars with the Indians, it was necessary that treaties should be made under no other authority than that of the United States.

When the constitution was formed, the treaty-making power was expressly given to the general government, and expressly inhibited to the several States. By the same instrument, Congress was invested with power 'to regulate commerce with foreign nations, and among the several States, and with the Indian tribes.' All treaties then in existence, and all treaties, which should be made thereafter, were declared to be the supreme law of the land, paramount to all State laws and constitutions. No dispensing power was given to any branch of the government, nor to all the branches united. The reason is obvious. No treaty can be dispensed with, or set aside, by one of the parties. If the terms of a treaty are burdensome, relief must be sought by negotiation. There is no other way, except by an appeal to arms.

When the meaning and effect of treaties come under judicial

investigation, the courts of the United States are the tribunals, to which this duty is assigned by the constitution. Hence an opinion has arisen, and has sometimes been expressed by gentlemen of respectability, that the supreme court of the United States might declare a treaty void, on the ground that it is unconstitutional. But the court is invested with no such power. It might as well declare one part of the constitution void, on the ground that it is inconsistent with some other part, as a treaty void, because it transcends the powers of government. It must be taken for granted, that the framers of our constitution made a plan, the parts of which are not inconsistent with each other. At any rate, if there be an inconsistency, the people of the United States must remove it. In like manner, if the President and Senate make a treaty, it must be taken for granted that they have not transcended their powers. The treaty-making power involves all the high attributes of sovereignty. The framers of the constitution manifestly intended to lodge this power in safe hands. If they committed a mistake, the people can, by an amendment of the constitution, make a different disposition of it. Treaties are, in their nature, transactions of a higher character, than constitutions of internal government. The whole human family is interested in securing the faithful observance of engagements between nations; and this interest greatly increases, if one of the parties be weak and the other strong. Such nations as England, France, Russia, and the United States, can take care of their own interests; but, if the sanctity of treaties is to be violated, how is it possible that the weak should ever be protected?

Questions as to the *meaning* of treaties may often arise; and they must often be decided, so far as they affect individuals, at least, by some tribunal known to the laws. But to say that a particular branch of the government of one nation can *set aside* a treaty, in which another nation is interested, is altogether preposterous. Were a question to arise between France and England, as to the validity of a treaty, would England be satisfied with having the matter decided by the French court of cassation, or France with a judgment of the court of king's bench in Westminster-Hall?

One of the first objects of attention, after the organization of the general government under the constitution, was our public relations with the Indians. With the Creeks, occupying the region which now forms the central and south-western parts of

the state of Georgia, no national treaty had then been made. They stood in a very threatening posture, in the vicinity of white settlements. They, with the aid of the neighboring tribes, could bring fourteen thousand warriors into the field. A quarter of that number would have been sufficient to keep the new settlers in a state of consternation, through an extent of five hundred miles on the frontier.

During the first session of the first congress under the constitution, viz. on the twenty-second of August, 1789, the President of the United States, attended by General Knox, came into the Senate, and laid before that body a statement of facts, proposing several questions for their advice and consent. Among these questions was the following: 'Whether the United States shall solemnly guaranty to the Creeks their remaining territory, and maintain the same, if necessary, by a line of military posts?' This question was answered by the Senate in the affirmative; and necessary funds were ordered, at the discretion of the President.

In pursuance of this advice and consent of the Senate, three distinguished men were appointed commissioners to treat with the Creeks; but, for reasons which we are not able to state, the negotiation was not successful. The next year, twenty-four Creek chiefs were induced to visit New-York, which was then the seat of government. A treaty was here negotiated by the secretary of war, under the immediate eye of General Washington. It was authenticated with uncommon solemnity, and appears to have been ratified by a unanimous vote of the Senate. The fifth article is in these words: 'The United States solemnly guaranty to the Creek nation all their lands within the limits of the United States, to the westward and southward of the boundary described by the preceding article.' It is impossible for any fair and honorable mind to doubt as to the meaning of this stipulation; and therefore we will not detain our readers with any remarks upon it.

On the 11th of August, 1790, General Washington, as President of the United States, transmitted to the Senate a special message, on the subject of our relations with the Cherokees. This was four days after the treaty with the Creeks was signed, during which interval it had been ratified. In the message, the treaty just formed was alluded to as 'the main foundation of the future peace and prosperity of the south-western frontier.' The President insists, however, upon the necessity of having

'the treaties with the other tribes in that quarter *faithfully performed* on our part.' He reminds the Senate, that the Cherokees, by the treaty of Hopewell, had placed themselves under the protection of the United States; that the whites had subsequently intruded upon the Indians; and that Congress, in September, 1788, had forbidden such unwarrantable intrusions. He announces his determination to exert the powers intrusted to him by the constitution, in order to carry into faithful execution the treaty of Hopewell, and concludes his communication with the following question: 'Shall the United States stipulate solemnly to guaranty the new boundary, which may be arranged?' The Senate, by a resolution in almost the same words as the question, 'advised and consented solemnly to guaranty the new boundary.'

The President followed this advice; and the treaty of Holston was formed, July 2, 1791, by the seventh article of which, 'the United States solemnly guaranty to the Cherokee nation all their lands not hereby ceded.' The treaty of Holston is the basis of all subsequent negotiations. In the first treaty of Tellico, which was formed under the administration of the elder Adams, the United States stipulate, that they 'will continue the guaranty of the Cherokee country forever, as made and contained in former treaties.' Regular treaties, negotiated by commissioners with full powers, and all duly ratified by the Senate, were made with the Cherokees during every administration, down to that of Mr. Monroe, inclusive. There are fifteen of these most formal and solemn compacts. During all the period which has intervened since the date of the treaty of Hopewell, there has been constant intercourse with these tribes, by letters from the President and the war department, and by agents residing among the Indians, as organs of communication with them. All these transactions have been in accordance with the principles announced by General Washington, and recognised by his successors. The Indians were always made to understand, that their territory was to remain inviolate, unless they freely consented to part with it.

The intercourse-laws have all proceeded upon the same principles. Intrusion upon Indian lands is forbidden under heavy penalties, which are graduated according to the design of the intruder. Those acts which would indicate ownership, or which would alarm the Indians with the apprehension of a claim, are visited with peculiar severity. In the treaties, and

in the laws, there are numerous provisions in relation to inferior subjects, which imply that the Indians had a government of their own, that was to continue permanently; and there is not a syllable, which has the most distant implication that the United States, or any separate state, claimed, or ever would claim, the right of legislating over the Indians, or exercising any power over them, not expressly given in the treaties. The last compact with the Cherokees, except one, was negotiated by General Jackson in 1817. The preamble states, that a part of the Cherokees wished to remove beyond the Mississippi, and a part wished to remain. The design of the transaction was to promote the views of both parties, and to give both an 'assurance of our patronage, our aid, and good neighborhood.' It was expressly stated, that those who remained were desirous of 'beginning the establishment of fixed laws and a regular government.'

Mr. Calhoun negotiated the last treaty with the Cherokees, in 1819. The preamble declares, in effect, that the Cherokees as a body wished to remain on the land of their fathers, with a view to their national preservation. It is implied, that the treaty was made to secure that distinct object. By the fourth article, a permanent school fund is created, which is expressly appropriated 'to diffuse the benefits of education among the Cherokee nation *on this side of the Mississippi.*' The next article extends the intercourse-law over the Cherokees, as a permanent protection; which, therefore, can never be repealed, as to the Cherokees, without their consent.

We have thus drawn a hasty outline of the principal stipulations, by which the integrity of the Cherokee country is guarantied, and the rights of the inhabitants secured. What other community is there on earth, that can show so many muniments erected for its defence, within the short period of forty-five years? What other community can show such a current of public transactions, all running with an irresistible tide in the same direction, and without meeting with any obstacle, that could make even a ripple? With what other people have the United States ever entered into stipulations, after so much consideration, and under circumstances of the same solemnity? The father of his country, soon after he was inducted into the office of chief magistrate of the United States, distinctly inquired of the Senate, whether they would advise him to offer a solemn guaranty of their country to the Creeks. Being answered in the affirmative, the guaranty was made as soon after-

wards as a treaty could be negotiated. A year had elapsed, however, and the Senate was called upon to ratify the guaranty, which it had advised. This was done unanimously. The President then began a similar course in regard to the Cherokees. The same guaranty was proposed, given, and ratified; and, during the progress of these transactions, another year had elapsed. Thus, during the first Congress under the federal constitution, the question of guaranty was distinctly before the Senate, at least four times; and it was indirectly before that body, when commissioners were appointed; and probably on other occasions. The Senate was composed, in great part, of the very men, who had been members of the convention, by which the constitution was formed. It is incredible, that they should mistake the meaning of that instrument, on so important a subject. The same guaranty has been implicitly ratified in every subsequent compact. The terms of the stipulations are perfectly intelligible, so that there is no room for doubt, or cavil. If the United States are not bound by these engagements, how is it possible for a nation to bind itself? and how is it possible for a weak party to know, whether its rights are to be protected, or not? or rather, how much reason is there to fear, that a weak party has no rights, and that the law of force must always prevail?

It is admitted by some, that were it not for other obligations, by which the United States are bound to the several members of the Union, these treaties with the Indians would hold us as a nation. They suppose, that the obligations to the several states are prior to these treaties with the Indian tribes. But, after all that has been said and written on this subject, we have not seen the slightest evidence, that there are any incompatible obligations. Every treaty with every Indian tribe may, unless we are greatly mistaken, be fulfilled to the very letter; and yet no engagement, either express or implied, now in existence between the United States and any separate state, or any community, or individual, would be in the least danger of violation.

The claims of Georgia, under the compact of 1802, are supposed to form the strongest case of incompatible obligations; and we admit that these claims have been so represented, as to puzzle some intelligent minds. If fairly stated, however, they furnish no occasion for doubt or embarrassment, on the part of the general government, or of complaint on the part of Georgia.

It is contended, by the advocates of Georgia, that the declaration of independence, sustained by the revolutionary war, and confirmed by the peace of 1783, vested in that state all the rights of the British king to the land within its chartered limits; and that the United States have guarantied to each state all its rights of territory and government. The United States were, therefore, at the date of the treaty of Hopewell, bound to Georgia by an obligation incompatible with the terms of that treaty. This being the case, the first obligation must remain inviolate, and compensation must be made for the violation of the second.

Upon this statement, we cannot help remarking, that, if true, it is a most humiliating one. The articles of confederation were considered and adopted by the wisest men, whom the country was able to send to Congress, in the brightest period of our history. Our relations with the Indians were fixed by the same men, at the same period. Both subjects were in the highest degree interesting to the whole country. On the course which should be pursued toward the aborigines, depended in a considerable degree our national character, and the freedom of the frontier from the terrible and protracted calamity of an Indian war. And yet, with all these mighty interests at stake, they entered deliberately into clashing and contradictory engagements. If they did this, they must have made false representations to the Indians, on subjects of vital importance. They must have pretended to exercise powers which they did not possess; and, under the pretence of giving an equivalent, which they had no power to give, and for the loss of which they cannot make indemnity, must have obtained, from the poor, deluded, suffering Indians, terms of great value to the United States, and especially to the people on the frontier.

It is a great mistake, however, to suppose, that the worthies of the revolution committed an error so little in accordance with their general character, and of such disastrous issue to the Indian nations. Nothing but the most positive stipulations, absolutely irreconcilable to each other, should make us willing to admit the existence of such an error. We need not be alarmed for the reputation of our most eminent statesmen. There is not even an apparent discrepancy between the stipulations, either express or implied, of the states among themselves, and their united stipulations, as one party, with the Indians as another.

As to the succession of Georgia to the rights of the British

king, it was settled before the revolution, that the King could not take actual possession of Indian lands for the use of his subjects, except in pursuance of treaties made with Indians; and as to the confederated states guarantying to each state the right of taking lands from the Indians by force, because these lands lay within the chartered limits of a state, the direct contrary was expressly provided. The United States were invested with the treaty-making power, under the confederation, as well as under the constitution; and this power was often and solemnly applied to the Indian nations. The confederated states, and not any one of their number, sustained a national character. Wars with the Indians were, and must be, sustained at the national expense. Treaties of peace and limits must of course be made by the nation.

Besides, the United States never admitted, that the separate states were entitled to what were called the crown lands; that is, the lands still remaining in the possession of the Indians, and reserved by royal proclamation for their continued occupancy. So far from guarantying the Indian lands to Georgia, the confederated states maintained, that whatever claim the whites had to these lands,—the claim to extinguish the Indian title by amicable purchase,—belonged to the United States, and not to Georgia. The claim was resisted by that state, and was finally put to rest by the compact of 1802.

In this compact, the cessions are mutual, or reciprocal. Georgia cedes to the United States all her 'right, title, and claim' to lands west of a certain line; and the United States cede to Georgia all their 'claim, right, or title' to lands east of the same line. The lands, which were thus ceded by Georgia to the United States, now constitute the states of Alabama and Mississippi. The cession was made on certain conditions; and among these conditions is an engagement, 'that the United States shall, at their own expense, extinguish, for the use of Georgia, as early as the same can be peaceably obtained, upon reasonable terms, the Indian title to the county of Talasse, and so forth, and to all the other lands, in the state of Georgia.' This is the stipulation, which is mainly insisted on, as imposing upon the United States the obligation of obtaining, at all hazards, the Cherokee lands for the use of Georgia. But the bare reading of the clause is sufficient to show, that the obligation is conditional. The title was to be extinguished '*peaceably*,' and 'on *reasonable terms*.' Of course, the Indians had the ac-

knowledged power of keeping their country forever, if they pleased; and this would give Georgia no cause of complaint against them, or against the United States. In fulfilment of that stipulation, however, the general government has purchased the Indian country, as fast as the original proprietors would sell. In this process, the whole Creek territory, within the chartered limits of Georgia, has been obtained for the use of that state, and is now settled by its inhabitants. Portions of the Cherokee territory have also been ceded, so that twenty millions of acres, in the whole, have come into the possession of Georgia, since the execution of the compact. About five millions of acres still remain in the possession of the Cherokees, over which territory and all its possessors, Georgia claims the right of extending her laws.

Not only is the engagement with Georgia conditional, but the very terms of the conditions are inconsistent with the use of any means, but those of persuasion and argument. The Indian '*title*' is acknowledged as in existence, and is to be '*extinguished*,' before the lands can be obtained for the use of Georgia. Previously to that time, the United States had made no fewer than five treaties with the Cherokees, and two with the Creeks; and it was perfectly well known to the parties, that treaties were the only means, by which the Indian title could be extinguished.

In the very paragraph of the compact which contains the stipulation, it is stated, by way of description and recital, that 'the President of the United States has directed that a *treaty* should be held with the Creeks;' and, in a previous paragraph, the United States engage to open a land-office, 'for the disposition of the vacant lands thus ceded, to which the *Indian title* has been, or may *hereafter* be, extinguished.' It thus appears, that the very instrument, under which Georgia has pressed her claim, shows most conclusively, that no means of violence were to be used; that all public intercourse with the Indians was to be held by the United States; and that Georgia was to have no agency, direct or indirect, in extinguishing the Indian title.

There is another remarkable passage in the same instrument,—a passage inserted for the purpose of protecting the Indians in their rights, during all future time. Georgia made it an express condition, that any new state to be formed upon the ceded territory should conform to the articles, (one ex-

cepted,) of the 'ordinance for the government of the territory north-west of the Ohio.' Among these articles, to which such new state should conform, is one, of which the following sentence constitutes a part: 'The *utmost good faith* shall always be observed towards the Indians; their lands and property shall never be taken from them *without their consent;* and in their *property, rights, and liberty*, they never shall *be invaded or disturbed*, unless in just and lawful wars, authorised by Congress; but laws founded in justice and humanity shall, from time to time, be made for preventing wrongs being done to them, and for preserving peace and friendship with them.'

When the compact here under consideration was adopted and confirmed by the legislature of Georgia, the act declares, that the deed of cession is 'fully, absolutely and amply, ratified and confirmed, *in all its parts;* and is hereby declared to be binding and conclusive on the said state, her government and citizens, forever.'

Thus Georgia, in the most solemn manner, bound herself not to sanction any invasion or disturbance of the Indians in their rights, and secured the imposition of the same obligation upon new states afterwards to be formed. Consequently, when Mississippi and Alabama were admitted into the Union, the ordinance of 1787, containing the passage above cited, was expressly adopted by each of these states, as the indispensable condition of its admission.

In December, 1827, not three years ago, Georgia, by an act of her legislature, asserted the right of taking possession of the Cherokee country by force. She declared, that the Indians were tenants at her will, that she wanted their lands, and *would have them.*

It is not our intention, after all that has been said, to spend any words upon the reasonableness of this claim. There may be some use, however, in stating briefly, in how many ways, and for what length of time, Georgia has bound herself not to assert it.

1. Oglethorpe, the founder of the colony, and all his associates, went upon the ground that the Indians had a right to their own lands. He solicited permission to settle at Savannah; and every foot of territory, which he and his successors gained, was gained by treaties and defined by known boundaries. The engagements were numerous and positive, that whites should not intrude upon any lands, which the Indians had

not sold. The general intercourse between the parties stood entirely upon this basis. The colonists came as friends of the Indians. In this character alone, and with a view to the permanent benefit of the Indians, did they plead for the cession of lands. For many years after the first settlement, they might have been cut off, in a single day, by the natives. In 1763, a treaty was formed at Augusta, in the negotiation of which, the governors of Georgia, the two Carolinas, and Virginia, and the King's superintendent of Indian affairs, were associated. All the southwestern tribes were represented, and their right to their own lands was in the strongest manner implied. Thus, in the infancy of the colony, and during forty-three years before the declaration of independence, the treaties, and the daily intercourse, were all in favor of the rights of the Indians.

2. In the course of the revolutionary war, various negotiations were held between the Cherokees, and the authorities of Georgia. A treaty was formed at De Witt's Corner, in 1777, by commissioners duly empowered by the States of South Carolina and Georgia, and by Indian councils. The whole aspect of the transactions is that of negotiations between independent powers, capable of binding themselves and their posterity. After the close of the war, several other treaties were made between the Cherokees and Georgia, acting as an independent State. All these treaties were negotiated upon the same basis as the preceding ones.

3. Georgia was one of the confederated States; and, during the existence of the confederation, the treaty of Hopewell was formed. Georgia remonstrated against it on the single ground, that it belonged to her, as a separate State, to treat with Indians occupying a part of the land within her chartered limits. She did not object to the great principles of the treaty; that is, a definite boundary and an implicit guaranty. Congress was not convinced by her remonstrance. On the contrary, a proclamation was issued by Congress, in 1788, to enforce the treaty of Hopewell; and preparations were made to march troops from the Ohio to defend the Cherokees against intruders, according to the stipulations of that instrument. In 1790, General Washington, in the second year of his presidency, declared the treaty to be in force, and expressed his determination to execute it. Thus, as a confederated State, was Georgia bound by this treaty with the Indians, as truly and firmly as by the peace of 1783 with Great Britain.

4. The federal constitution provides, that all treaties previously 'made,' and all which should be made thereafter, shall be 'the supreme law of the land.' The treaty of Hopewell was then in existence. In the language of Mr. Bates,

'Georgia, by adopting the Constitution, agreed, at least, to *this treaty*. Nor is there the slightest foundation for the suggestion, that she did not intend to affirm this treaty. Let it be recollected, that this treaty was not only uniformly called a treaty, and known as such, but of all other treaties, this was most likely to be distinctly in view. 1st. Because it was the subject of her remonstrance to Congress in 1786. 2d. Because the boundary to which it related had been a matter of perpetual dispute between her and the United States; and, 3d. Because, when she adopted the Constitution, the proclamation of Congress was then before the people, requiring submission to this very treaty, and calling upon the army to enforce it against the citizens of Georgia. Of all subjects, therefore, which Georgia had openly and fully in view, this was the most prominent, made so by the important contemporaneous events which affected that State individually. But, independent of all this, it is enough that it was then deemed a treaty, and, as such, was made the supreme law of the land.' p. 239.

The constitution also provides, that treaties shall be made by the general government, and shall not be made by separate States; so that, by acceding to the constitution, Georgia bound herself in advance, as did every other State, to abide by every treaty which should be proclaimed as a treaty, by the competent authority of the nation. How is it possible, that this power could have been lodged in other hands, than those of the nation? And how can it be contended, for a moment, that every State is not bound by these highest acts of national sovereignty?

5. During the thirteen years, which intervened, between the organization of the federal government and the compact of 1802, seven treaties were formed between the United States and the Indian nations residing within the chartered limits of Georgia. The two first of these treaties, one with the Creeks, the other with the Cherokees, contain the articles of solemn guaranty, which have so often been mentioned. It is believed, that all these treaties received the unanimous approbation of the Senate. No advocate of Georgia has asserted, so far as we have been able to learn, that a single Senator of Georgia withheld his assent from any of these treaties. The treaty of

Holston, containing the guaranty of the Cherokee country, was never made the subject of complaint in any form. The treaty of Tellico, in which the guaranty was declared to be *forever*, was negotiated by George Walton, an eminent citizen of Georgia, in honor of whom she has lately called a county by his name. Preceding treaties are, in this document, recognised as in force, 'together with the *construction* and *usage* under the respective articles; and *so to continue*.'

6. It has been shown at large, that by the compact of 1802, Georgia acknowledged the validity of treaties, and looked to them as the only legitimate method of extinguishing the Indian title.

7. Since the compact of 1802, ten treaties have been made by the United States with the Cherokees, and six with the Creeks; all in accordance with the principles of previous treaties. It is not intimated, that any senator from Georgia, or from any other State, objected to their ratification. By these treaties Georgia obtained possession of Indian lands, nearly equal in extent to all New England, except Maine.

8. All the constituted authorities of Georgia, including her Governors, legislators, Senators in Congress and Representatives, have uniformly, down to the year 1827, admitted the validity of treaties with Indians. The legislature and the delegation from that State in Congress, were in the habit of urging the United States to make new treaties with the Cherokees and Creeks. In 1819, the Senate and House of Representatives of Georgia addressed a memorial to the President of the United States, in which it is declared, that 'the State of Georgia claims a right to the jurisdiction and soil of the territory within her limits. *She admits*, however, that the right is *inchoate*, remaining to be perfected by the United States, in the *extinction of the Indian title*.' In 1825, the Governor of Georgia, now a Senator in Congress, commanded obedience to a treaty with the Creeks, as the supreme law of the land. The last commissioners, who attempted to treat with the Cherokees, (both of them citizens of Georgia), announced in writing, that the United States alone could negotiate with the Indian nations, or extinguish the title to their lands.

In these various ways has Georgia, during the whole period of her existence, from 1733 to 1827, acknowledged the necessity of obtaining the Indian territory by amicable treaties. All her eminent statesmen,—all her constituted authorities,—have

united in the expression of this opinion, and in acting according to it. How is it possible, that a State should ever be bound, if Georgia is not bound by these transactions? If England were bound to France by stipulations, which could be supported by a thousandth part as much evidence as exists on this subject, and should refuse to acknowledge the obligation, the whole civilised world would denounce her as regardless of her faith. Yet, so many plausible words have been used, and there has been so much parade of reasoning on the subject of State rights, and conflicting powers, that some respectable and honorable men have been misled. The scene is distant from the northern States. A dimness is cast over the whole subject, in many minds, as to the condition and rights of Indians living in the woods.

We have thought it might be useful, therefore, to change the scene, and to state a case perfectly parallel, though relating to a different tribe, and a different State, in order to make the matter so plain, that it cannot be misunderstood.

Let us suppose, then, that one of the New England tribes of Indians, the Mohegans, for instance, were found on the arrival of the pilgrims, in possession of all the territory now contained in Massachusetts; that they permitted the first settlers to land, and received them as friends; and that they made new cessions of territory, as the settlements were extending. The whites encroached, difficulties arose, and wars succeeded; yet peace was repeatedly made, on equal terms, and by the establishment of a known boundary. This was the progress of things, we will suppose, till the commencement of the revolutionary war, when the Mohegans, having placed themselves under the protection of Great Britain, and being persuaded by agents of the mother-country, took up arms against the colonies.

We will proceed with the supposition, as though it were history, and without further interruption.

In 1777, Massachusetts held a negotiation with the Mohegans, by commissioners with full powers, when a peace was made and boundaries were fixed. Other treaties were made between the State and the tribe in 1783 and in subsequent years. Massachusetts, being a member of the confederation, a treaty was made with the Mohegans by the United States, in 1785, by which peace was established, prisoners were exchanged, reciprocity was observed on other important points, and an implicit

guaranty of territory was given. Massachusetts protested against this treaty, on the ground that she alone ought to negotiate with Indians occupying a part of her chartered limits, but not denying the right of the Mohegans to their own country and government. Congress was not in the least moved from its purpose by this protest; but held that the United States had the sole power, by the articles of confederation, of making treaties with Indian nations, situated as the Mohegans then were. In 1788, Congress issued a proclamation against intruders with the express object of enforcing the treaty.

After the adoption of the federal constitution, General Washington declared the treaty of 1785 to be in force, and that he should use all the powers intrusted to him by the constitution to have it maintained with good faith. At the moment of making this declaration, he sent a special message to the Senate, proposing this question: 'Does the Senate advise and consent solemnly to guaranty to the Mohegans the lands which they occupy?' To which the Senate (the members from Massachusetts being present), unanimously answer in the affirmative. A treaty was formed in the year 1791, between the United States and the Mohegans, by which Connecticut river was made the eastern boundary of the Indian country, which then embraced what is now the western part of Massachusetts, the southern part of Vermont, the northwestern corner of Connecticut, and the part of New York which lies east of the Hudson river. In this treaty, 'the United States *solemnly guaranty to the Mohegan nation* all their lands not hereby ceded.' Many stipulations are made, and, among the rest, the Mohegans engage, that they will not form any treaty with a separate State. They grant to the United States the privilege of a road from Albany to Springfield, and permit boats to navigate the Housatonic river. The United States promise to give them implements of husbandry, that they may become herdsmen and cultivators, and with a view to their permanent attachment to their soil. The United States also engage, that, if any citizen of the United States shall go into the Mohegan country and commit a crime there, or do an injury to a peaceable Indian, such citizen shall be punished by the courts of the United States, in the same manner as if a similar crime had been committed within the jurisdiction of Massachusetts, or within any territorial district of the United States. The Mohegans, on their part, agree to deliver up for

punishment any of their people, and any who take refuge in their nation, who have committed trespasses upon neighboring whites; and, in consequence of the various stipulations in their favor, they agree to be under the protection of the United States, and of no other sovereign whatever.

This treaty was ratified by the Senate unanimously, no member from Massachusetts, Connecticut, New York, or Vermont making any objection; and Massachusetts never having objected to the guaranty of 1791, down to the present day.

Seven years afterwards, another treaty was made with the Mohegans, negotiated by an eminent citizen of Massachusetts, acting as a commissioner of the United States, which expressly extends the guaranty of the Mohegan country forever.

Massachusetts having long had claims to western lands, which the United States would not acknowledge, a compact is formed between that State and the United States, in 1802. By this compact, Massachusetts cedes to the United States all her claim to the western lands, accepting as an equivalent a large sum of money and an engagement that the United States would extinguish the Mohegan title as soon as it could be done 'peaceably, and on reasonable terms;' several clauses in the compact implying, that the title was to be extinguished by treaty with the Indians, and that the treaty was to be made between them and the United States, Massachusetts having no agency in any such transaction.

After this compact, ten treaties were made between the United States and the Mohegans, all with the acquiescence of Massachusetts, and some of them at her solicitation. By these treaties, she acquired lands of the Mohegans, till their territory, so far as Massachusetts is concerned, was reduced to what lies west of the counties of Franklin, Hampshire and Hampden, where the Mohegan nation still remains, upon the ground derived from the immemorial occupancy of preceding generations. In one of these treaties, the Mohegans granted to the United States the privilege of a road, which should pass through their country from Rutland, Vermont, to Litchfield, Connecticut. In another it was stipulated, that the agent of the United States, residing among the Indians for their benefit, might cultivate land for a field and garden, so long as he should reside there in that capacity. In the last of these treaties but one, a treaty negotiated by the individual, who is now President of the United States, provision was

made for the permanent residence of the Indians upon their hereditary possessions, and all preceding treaties were confirmed; and the very last, negotiated by the individual, who is now Vice-President of the United States, is declared to be formed for the preservation of the Mohegan nation; provision is made in it for a permanent school fund, to be expended in the country now occupied by that nation; and the intercourse-law of the United States is permanently pledged for the protection of the Mohegans against the whites.

In the war of 1812, the Mohegans sent a larger proportion of warriors than any State in the Union, according to their numbers, volunteering their services under the banners of the United States. They fought by the side, and under the orders, of the commander, who is now President of the United States. Some of their bravest and best men fell on the field of battle; and those, who survived, were cheered and applauded as faithful allies, and generous disinterested friends, fully deserving the guaranty, which they had received.

The State of Massachusetts, however, importunately presses the United States to extinguish the Mohegan title. The legislature all the while acknowledges, that treaties must be made by the United States, before the title can be extinguished. The Governor of Massachusetts, in 1825, proclaims treaties with the Mohegans to be the supreme law of the land. The Representatives in Congress from Massachusetts, as late as the spring of 1827, leave upon the records a formal protest against a law, which assumed that a certain treaty with Indians was void on account of fraud. The reason assigned by these Representatives was, that a treaty was an instrument of so high a character, that rights vested immediately on its execution, and it could not be set aside, even by a subsequent treaty, and for manifest corruption.

In the mean time, while these treaties, and laws for their execution, were carried into effect with the universal acquiescence of the rulers and people of every State in the Union, the Mohegans were making rapid improvements in civilisation. The Secretary of War (Mr. Crawford), whom we will suppose to be an eminent citizen of Massachusetts, and afterwards the idol of that State, took the lead in promoting the best interests of the natives. He wrote an official letter to invite the co-operation of benevolent societies with the government in measures for the intellectual and moral improvement of the Indians.

From him the first impulse was received toward the support and establishment of schools, by the General Government, for the instruction of Indian children. Various efficient causes of improvement were in operation; and the Mohegans formed a regular republican government, upon the best models.

All these things were perfectly well known to the inhabitants of all the northern States. If a gentleman was travelling from Boston to Albany, he knew he was to pass through the Mohegan nation. He did pass through it. He knew when he crossed the limits. He saw the natives at work on their farms. He lodged at their houses. He visited their schools. He spent the Sabbath with them, and engaged with them in the most solemn ordinances of public worship. He read their newspaper, which was sent weekly into all parts of the United States. They told him what their relations with the United States were, and that they were accurately and minutely described in treaties. They added, that, in the execution of these treaties, white intruders had been repeatedly driven off, by the armed force of the United States.

The people of Albany, of Northampton, of Hartford, and of Rutland, came into the Mohegan nation, to witness the improvement of the Indian pupils; and the teachers returned these visits. All the people knew what the Mohegan nation was, and what its rights were, as solemnly guarantied by the United States. Not a State in the Union had its limits more exactly known, or its separate existence more positively guarantied.

But, while things were in this condition, Massachusetts suddenly resolves, in December, 1827, that she has waited long enough for the Mohegan lands; that, as she cannot get them by negotiation, she has a right to take them by force; that she will not resort to violence, however, till other means shall have failed; that the Mohegans never had any right to their country; that they are the tenants at will of Massachusetts; that their lands belong to her; that the King of England gave them to her two hundred years ago; and that she wants the Mohegan lands, and will have them. These things Massachusetts solemnly declares, before the world, in the year 1827, by resolutions adopted in both branches of her legislature; and she directs her governor to send a copy to the President of the United States, which duty was faithfully performed.

The next year, 1828, Massachusetts extends her laws over

the Mohegans; and annexes all that part of their territory, which lies within her chartered limits, to the counties of Franklin, Hampshire and Hampden. She enacts at the same time, that no Mohegan, nor any descendant of a Mohegan, shall be either a party or a witness in a court of justice.

These measures she follows up, in 1829, by enacting, that if any Mohegan chief shall attempt to prevent the people of the tribe from emigrating, he shall be liable to imprisonment four years; and if any member of the tribe shall endeavor to prevent any chief from selling the whole Mohegan country, he shall be imprisoned not less than four years, nor more than six years.

When the civilised world begins to express astonishment at these remarkable doings, Massachusetts bestirs herself to produce arguments in justification; and her arguments are these.

1. She alleges, that the American aborigines were in a state of nature, when New England was first settled from Europe, and men in a state of nature can neither be entitled to property, nor to the protection of law; from whence she infers, that the Mohegans may justly be driven from their patrimonial inheritance, although they are not in a state of nature, but have lived by her side under the protection of international and municipal law, for two hundred years.

2. She alleges that, according to Vattel, erratic tribes, savages in the hunter state, may be required to give up a *part* of their lands to their more civilised neighbors for cultivation; therefore the Mohegans, who are not an erratic tribe, and not in the hunter state, but herdsmen and cultivators, may justly be ejected from *all* their lands, which they have derived from their ancestors, which they have neither forfeited nor sold, and which have been guarantied to them for ever by the United States.

3. She says, that it is an established principle, that barbarians should yield to civilised men; and therefore the Mohegans, who are not barbarians; who have demeaned themselves peaceably towards the United States for the last forty years; who have learned to read and write; who have a printed language of their own, and send forth a newspaper weekly, shall leave their native land and seek a residence elsewhere.

Not appearing to be altogether satisfied with these reasons, Massachusetts says, that she is to be the only judge of her own limits; that she shall defend her exclusive right to her own territory; and that writers of pamphlets, and reviews, have

no business to meddle with her affairs: that, therefore, she is not bound by her assent to the constitution of the United States, which says, that the meaning and effect of treaties and laws are to be decided by the courts of the United States; nor by her own compact of 1802, which admits the Indian title, and prescribes the manner in which it is to be extinguished, if extinguished at all. In short, she declares roundly, that she will interpret all her obligations for herself, without asking the opinion of any one; or, in other words, that her present inclination is her only rule of duty.

Mutato nomine, de te
Fabula narratur.

This rapid sketch of supposed history is a faithful exhibition of the actual conduct of Georgia; though it is by no means so strong an exhibition, as a fuller statement would make it. How is it possible to doubt, that the south-western tribes of Indians, living on lands which they derived from their fathers, and within limits acknowledged and guarantied by the separate States and the United States, have a perfect original right, and a perfect right by compact, to the continued occupancy of their country, as long as they please to occupy it?

Those who urge the removal of the Indians say, that such a measure would be greatly for their advantage. Our limits do not permit us to enter at large into this question of utility. If the Indians remove to better their condition, it is manifest that their removal should be voluntary. They should have time to consider the subject. No threats should be used. They should have abundant opportunity to examine the country, to which they are to be removed. The territory allotted to each tribe should be designated, and the title made clear. It should be rendered certain, that they can be protected in their new residence, from the encroachments of lawless whites. If all this can be done, and the Indians, with an intelligent regard to their own welfare, uninfluenced by threats, or bribes, or false statements, shall voluntarily remove, there is probably not a man in the country, who would object to it.

Before a reflecting and benevolent man will take the responsibility of advising the Indians generally to remove, he will examine the subject thoroughly; and will gain satisfaction on several topics, some of which are the following.

In the first place, it should be ascertained, that there is good

land enough, at the disposal of the United States, for the accommodation of all the tribes to be removed. The land should not only be capable of cultivation ultimately, but should now be in such a condition, that Indians can live comfortably and contentedly upon it. But a large tract of territory, which would answer this description, must be extremely valuable hereafter; much more valuable, than the remnants of their hereditary possessions, to which some of the tribes are reduced, and to which others might consent to reduce themselves, if they could rest secure in the guaranty of the United States.

In order to be certain as to the quality of the land, and to what extent it is habitable, accurate surveys should be made by competent and responsible agents; and ample opportunity should be given to the Indians to explore their future habitation for themselves.

Again; it should be made to appear clearly, that the Indians are to enjoy security in their new place of residence. This can be done in no other way, than by showing, in the most decisive manner, that they are to be protected where they now are. If they cannot be thus protected, it is futile to talk about protection any where. If they may now be dispossessed of their original inheritance, because they are within the chartered limits of states, they may hereafter be driven from the lands which they shall receive as a grant from the General Government, because they will then be within the national limits of the United States. The General Government can do no more, in regard to securing a title to the Indians, than the several States have done repeatedly. If these engagements of States, sanctioned, and most solemnly guarantied, by the United States, prove utterly insufficient to protect the Indians, how can the acts of the General Government alone afford any solid ground of confidence? Constitutional scruples now exist in one shape. Twenty years hence they will exist in some other shape; and, in whatever shape they exist, they may be made the pretext for taking Indian lands, unless compacts are to be executed according to the intention of the parties, clearly expressed in the compacts themselves.

Beside a guaranty of territory, these Indian tribes, before they remove, should have good reason to rely upon the protection of the United States against mischievous white intruders. For various reasons, which there is not room here to specify, the emigrant Indians will be much more exposed to

renegados from civilised communities, than they are on the land of their fathers. The country to be allotted to the tribes, which shall remove, is much easier of access, than the present Cherokee nation. Steam-boats, with hundreds of intruders, can ascend the Arkansas into the heart of the Indian country. They will be allured thither by the money, which will be distributed for annuities, salaries, and rations. The victims of their rapacity will be numerous, and crowded together. The more easily the Indians yield to temptation, the less sympathy will be felt for them. The more protection they need, the less will they receive. Already, the emigrants, though comparatively few in number, experience these evils. The Cherokees of the Arkansas, who have removed only a hundred miles, have been terribly annoyed by dealers in whiskey since their removal. The reason is, that the emigrants were expected to receive a considerable sum of money from the United States, and greedy speculators were on the spot to profit by it.

If we may judge by a reference to the known principles of human nature, or by what has taken place already, we cannot suppose, that agents of the United States among the Indians will be men of sufficient virtue, intelligence, and public spirit, to make vigorous and persevering opposition to all the intrigues of self-interest; and unless this is done, the emigrant Indians will be destroyed.

If all the preliminaries can be fixed to the satisfaction of the Indians, and of the disinterested and intelligent portion of the American people, a removal may properly be commenced. But even in this case, the process should be gradual. Let the first trial be made by a small tribe, with great caution, and under the most favorable auspices. If this should prove successful, the larger tribes would have more confidence in the plan, and the government and people of the United States would see the need, and the benefits, of continued caution and vigilance.

There is no need of haste. Indeed, there is no apology for it. One of the Senators of Georgia said in his place, towards the close of the debate on the Indian bill, that *Georgia had a very inconsiderable interest in this question.* The friends of the Indians knew this perfectly well before; but they did not expect so distinct an avowal from such a quarter. One of the Representatives in Congress from Georgia, said, in private conversation, that *there is no necessity for removing the Indians.* No well-informed man can doubt the correctness of this re-

mark. How, then, can the people of the United States justify to themselves, or to the world, a course of measures, which is not called for by any exigency, which appears inconsistent with the most obvious principles of fair dealing, and which, as many of the best and wisest men among us fully believe, will bring upon the Indian tribes either a speedy or a lingering ruin, and upon ourselves the deep and lasting infamy of a breach of faith?

The volume of speeches before us is a most interesting one. Some of the discussions may appear dry to those, who are not accustomed to elaborate investigations. But there are passages of high eloquence in several of the speeches; and we may say, what can very rarely be said in a similar case, that not a single argument of a doubtful character is relied upon, in favor of the Indians. All the main positions are not defensible merely; they are absolutely unassailable. The book and the separate speeches should be extensively circulated.

Art. VII.—*Studies in Poetry. Embracing Notices of the Lives and Writings of the Best Poets in the English Language, a copious Selection of Elegant Extracts, a short Analysis of Hebrew Poetry, and Translations from the Sacred Poets: designed to illustrate the Principles of Rhetoric, and teach their Application to Poetry.* By George B. Cheever. Boston. 1830.

If we may form a judgment of the estimate in which poetry is at this time held, from the general practice of the professors of the art, we shall certainly be led to believe, that its voice is as little regarded, as that of wisdom. All the great living masters of the lyre appear to have laid it by, in order to labor in a lower, though perhaps a more productive field. It is now about fifteen years since Scott, finding his poetical popularity on the wane, and doubtless a little dismayed by the portentous brilliancy of another ascending star, gave up all his powers to a different department of literature, with a vigor and success, that leave us little reason to murmur at the change. Campbell had forsaken the field much earlier, to employ himself in celebrating the merits of those, whom the world had reasona-

bly expected him to rival. The fine genius of Coleridge is bewildered in the dim twilight of his strange metaphysics; Southey, with untiring diligence, has explored almost every practicable path of prose, as he had previously left scarcely any thing unattempted in rhyme; and Moore appears to have devoted himself to the task of erecting monuments to departed genius. This general abandonment of poetry, on the part of those who have cultivated it with the greatest success, is rather singular; and seems naturally to imply, that it enjoys less of the public favor now, than has been accorded to it in former times. Such, in fact, is the opinion of many, who believe that the world is growing too busy and consequential to attend to such light matters; that the active spirit of the age demands excitement of a different and superior character; and that men would now hardly stop to listen to the notes of inspiration, even were they uttered by an angel's voice. In part, this opinion is probably well founded; but it should not be forgotten, that we are very liable to error in forming judgments, which result from a comparison of the tastes and dispositions of men at this day, with those of generations which are past. The present is before us, while the past is at best but very dimly seen; and a disposition to complain of the prevailing taste is by no means peculiar to our own times. Goldsmith remarked with ludicrous bitterness, that the world made a point of neglecting his productions; and Akenside declared, that his opinion of the public taste would be regulated by the reception of Dyer's 'Fleece;' but the one was in error as to the fact, while the other may be said to have been mistaken in the law. Even if the justness of these complaints be admitted, they would only prove, that the most delightful music is at all times heard with difficulty amidst the din and crash of the enginery of practical life. The spirit of poetry is still present with him who meditates at eventide; with the worshipper of nature in her solitary places; with the contemplative, in their high and lonely tower; with him who is rapt and inspired by devotion; and even if it be driven from the haunts of crowded life, it still speaks to the soul in tones as thrilling and divine as ever.

While we admit, that what is called the spirit of the age, though the phrase is too often used without any very distinct perception of its meaning, is not very favorable to the cultivation of poetry, we must at the same time make due allowance for the operation of another cause—the influence of perverted

taste. What else could induce men to welcome the inferior classes of romances, tales, and novels, which are hourly poured forth from the press in multitudes which no man can number? To what other cause can we attribute the reception of stories of fashionable life, written by those who are as little conversant with its recesses, as with the court of the Celestial Empire—and which, if the representation were perfect, could present no picture, on which the moral eye would delight to dwell? What but perverted taste could tolerate the audacious depravity of novels, which would fain teach us to look for the beatitudes in the person of the assassin and highway-robber—in which we are taught, that what men in their strange ignorance have deemed the road to the gibbet, is only the sure and beaten pathway to honor, and happiness, and successful love? A dark omen it will indeed be, if productions like these, on which the moral sentiment of the community ought to frown with deep, unequivocal, and stern indignation, shall permanently usurp the place of those, which minister to the desires of our nobler nature.

Upon looking back for a moment at the history of English poetry, we do not find many proofs, at any period, of a very just estimate of its object and excellences. To trace it beyond the reign of Edward III. is as hopeless, as the attempt to ascertain the course of the Niger; and whatever may have been the character of the earlier chronicles and romances, there is no reason to believe, that it was at all propitious to the influence and diffusion of correct taste. The genius of Chaucer, like that of his great contemporary Wickliffe, instead of being nurtured by the age, burst forth in defiance of it; but the hour was not yet come; and the poet's song was followed by silence as deep and lasting, as that which succeeded to the trumpet-call of the stern reformer. During the fierce civil wars, and until the reign of Henry VIII. there was no such thing as English literature. This was the period of the reformation and the revival of letters; yet it presents us with few names, which the lover of poetry is solicitous to remember. Love and chivalry have indeed given an interest to the melancholy genius of Surry, which is heightened by the recollection, that his unusual accomplishments were the only cause of his untimely and treacherous murder; but the poets of that time were little more than mere translators of the Italian; and Sir Philip Sidney, while defending poetry in general, is compelled

to acknowledge the inferiority of that of his own country during the two preceding centuries. But the age of Elizabeth may well be considered as the era of its revival. This was certainly a period of high excitement, and distinguished for a bold and animated spirit of intellectual activity. Sir James Mackintosh has called it the opening scene in the political drama of modern Europe; it may, with almost equal justice, be denominated the opening scene of English literature. The splendid genius of Greece was just restored to the world; the 'earthquake voice' of the reformation had sounded through the vast of heaven; and the mind had indignantly burst the chains of protracted and ignoble bondage. Every thing seemed propitious for the exhibition of freedom and vigor, in every department of intellect; and in almost all, these qualities were signally displayed; but with the exception of one venerable name, we find scarcely a single example of great excellence in any but dramatic poetry; in which a degree of superiority was attained, which has thrown the efforts of succeeding ages completely into shade. It is true, that powers of a very exalted order are required for success in the higher class of dramatic compositions; but we can hardly consider that period as very remarkable for poetical excellence in general, which affords scarcely an example of any other. This direction appears to have been given to poetical talent by the taste of the court, the influence of which upon literature was subsequently very great. In the present instance, that influence, so far as it went, was highly favorable: the only cause of regret is, that it failed to extend to other departments of poetry, which were then struggling into existence.

At this time, the influence of the Puritans began to be felt. They were a class, who are hardly to be judged by the same rules which would be applied to the characters of other men, in ordinary times; and of whom it is somewhat difficult to speak in proper terms, either of praise or censure. We are not ashamed to say, that we look with admiration, and almost with awe, upon these stern patriots and martyrs; ambitious, but to gain no earthly crown; burning with enthusiasm, yet severe and immovable, as if inaccessible to human passion; inflexible and haughty to man, because reverence was due only to the Most High; despising all accomplishments and all learning, because they counted them as nothing, in comparison with religion and the word of God. But the state of feeling

and opinion, which it was their great purpose to maintain, was in some respects false and unnatural. While they labored to elevate the mind, the tendency of some of their efforts could be only to degrade it. They saw literature prostituted sometimes to unworthy purposes; and they straightway denounced it all as an abomination. One might almost forgive this prejudice, if it had been founded on the writings of those, who have been strangely denominated metaphysical, as if metaphysics were only another name for every species of extravagance. These Malvolios of English literature, of whom Donne was the common father, and Cowley the anointed king, contented themselves with corrupting what the Puritans were anxious to destroy. Their writings appear to us to be a vivid delineation of the intellectual character and taste of King James; who by a cruel insult to the wise king of Israel, has been sometimes called the English Solomon. They found the age pedantic; and they labored with eminent success to render it still more so. Never did poetry revel in such wanton extravagance and absurdity. With them, sighs were breathed in tempests; tears were poured forth like the universal deluge; love was nothing short of a *coup de soleil* beneath the tropics; pride was the temperature of the arctic circle; and a lover's heart a hand-grenade. It is sufficiently obvious, that the taste for this extravagance was not created by those who thus employed it; for the prose writings of some of them, of Cowley for example, are full of simplicity, grace, and beauty. Indeed, the mere existence of the metaphysical style is a sufficient proof, that if the readers of poetry at this time were not indifferent to it, they were at least not very scrupulous in their selections. The most exalted eulogies were lavished upon Cowley; and even Milton did not refuse to praise, what he disdained to imitate. Signs of a more correct taste began to be visible, in the languid smoothness of Waller, and the correct mediocrity of Denham; but with what surpassing glory does the venerable form of Milton appear in the midst of an age like this! His grand and melancholy genius was almost as far removed from that of his contemporaries, as his immortal subject was elevated above all earthly things. So far from being indebted to his age, he was both beyond it and above it; and it is hardly too much to say, that he would have been beyond and above any other in the history of man. It is no reproach to his own, that men heard his voice, and comprehended it not;

for what standard was there, among the poets of the time, by which they could hope to measure such elevation as his?

The stern rigor of the Puritans was at length followed by its natural reaction; and the literature of the age of Charles II. was a faithful transcript of the character of that degraded sensualist, and still more degraded king. It is easy to conceive, what the worshippers must have been in the temple of vice and folly, in which Sedley, and Etherege, and Buckingham, and Rochester, were chief-priests. 'The fools of David's age,' says Sir William Temple, 'those who have said in their hearts, there is no God, have become the wits of ours.' The personal character of a king is never without its influence, and in this instance it was all-powerful; but it was only for the purposes of evil. In the school of severe adversity, where the milder virtues are commonly taught, he had learned nothing but vice, disguised under the name of pleasure. Ridicule was the fashion of the day; and the subjects of that ridicule were all things that are venerable and holy. Depravity lost nothing of its evil, because it lost nothing of its grossness; it was tolerated in all its grossness, and adored in all its deformity. It was not surprising, that the want of just moral sentiment should be accompanied by the debasement of literary taste. Their tastes, as well as their fashions, were alike borrowed from the French, who returned the obligation by regarding England as a nation of barbarians. St. Evremond passed twenty years in England without acquiring the slightest knowledge of the language; while ignorance of the French language was regarded by the English as a greater crime than the violation of every precept of the decalogue. The worst defects of French literature were copied and exaggerated. Settle became a greater poet than Dryden, until the latter stooped from his mountain-height and the mid-day sun, to grovel in the dark recesses of a polluted theatre. The influence of a licentious court was visible also upon other minds; degrading powers which should have been devoted to high purposes, and repressing every display of natural feeling by a general chorus of ridicule and scorn.

In passing from this period to the beginning of the next century, we seem to be coming forth from the suffocation and gloom of the charnel-house to the fresh air and clear light of heaven. We shall have occasion presently to make a few remarks upon the characters of some of the most distinguished poets of that time; and we will only observe here, that we

have no knowledge of any period in English history, in which poetry was the object of more general regard, than it was from the beginning until the middle of that century. The circumstances to which we have alluded, furnish sufficient evidence that the popular taste has been often perverted; but they give no evidence of indifference in regard to poetry, like that which is believed to prevail at this day. We call the present an age of great intellectual excitement; of keen and restless enterprise; and of deeper insight into hidden mysteries, than any of which the record has yet come down. Why then should the purest and not the least elevated department of intellect be regarded with coldness and neglect? The true object of poetry is to subject the senses to the soul; to raise the mind above all low and sordid purposes, and to fix its desires upon things which are honorable and high. If we receive it with indifference and scorn; if we refuse to listen to its voice, the loss is ours; we are casting away the surest means to lift our thoughts from the dust—the noblest instrument to elevate and purify the heart.

The moral tendencies of English poetry are such, on the whole, as the friend of virtue has much reason to approve. There have certainly been ominous examples of the degradation and perversion of exalted powers; but the waters of oblivion have already closed over some, and will sooner or later overwhelm the rest. It is idle at this day to say any thing of the moral influence of Chaucer; we might as well enlarge upon the absurdity of the Koran. Spenser, however, continues to be read, though not, we apprehend, by a large class of readers. There is abundant reason to regret, that the tediousness of the allegory, which constitutes the story of the 'Fairy Queen,' should have withdrawn from it the public favor; for it is the production of a mind overflowing with rich and powerful thought, and a fancy full of all delightful creations—the beautiful *ideal* of chivalry, when chivalry was only another name for a combination of all the virtues. The poet appears to have forsaken this lower sphere, to hold communion with superior beings; and how could it be expected, that the friend of Sidney and Raleigh—those brightest spirits of an age not wanting in generous and lofty ones—should be insensible to the influence of their romantic sentiment, as it was illustrated and personified in the moral beauty of their lives? It was their influence by which he was led to devote himself,

not to the study and description of man as he is, but as romance and chivalry would make him. It was this, which induced him, instead of producing a grand historical picture, to which his powers were more than adequate, to execute fancy-pieces only—glowing indeed with richness and beauty, but deficient in the interest and life, which such talent, employed upon more propitious subjects, could not fail to bestow. He chose a department, in which many have failed, and in which scarcely any one but John Bunyan has succeeded; and how much of his power is to be attributed to the awful realities of his subject! Still, it is the praise of Spenser, that he consecrated his delightful harmony, his beautiful, and not unfrequently sublime description, and all the creations of an imagination of unrivalled splendor, and of invention almost boundless, wholly to the cause of virtue. Would that the same praise were equally due to his far greater contemporary! But Shakspeare wrote apparently without any moral purpose; he took the tales which ancient chronicles afforded him, or chance threw in his way, and by his inspiration he created a living soul under these ribs of death. If they gave him a moral, it was well. Now, we hear strains which seem to flow from a seraph's lyre; presently, those which the depths of vulgarity could hardly essay to rival. Moral dignity and disgusting coarseness, the loftiest sublimity and the lowest grossness, are occasionally blended together like the hovels and palaces of a Russian city. Ingratitude is denounced (and how denounced!) in the heart-rending agony of Lear; the dreadful penalty of guilty ambition and the keen anguish of late remorse are displayed with terrific power in Macbeth; while in Hamlet we see only a spirit crushed and broken beneath a burden which it cannot bear—faithful to duty, but over-mastered by the consciousness, that fate has imposed upon it a duty beyond its ability to do. But who can point us to the moral purpose of Romeo and Juliet, or the Merchant of Venice, or of Cymbeline? The heart, with all its high aspirings, its guilty depths, its passions, its affections and its powers, was laid full and open to Shakspeare's view; all the elements of incomparable genius, and every divine gift, were imparted to him with a liberality hardly ever vouchsafed by Providence to man before; but he looked upon man and nature without looking beyond them to the God of all; and thus the mind which was formed for all succeeding ages, and compounded of all imaginable

glories, astonished, instructed, overawed, and delighted men, without making them better. It is presumptuous to say what Shakspeare might have been, when human eloquence can hardly adequately tell what Shakspeare was; but we believe that he was too often induced by a fancied necessity to sacrifice his own superior thoughts to the influences of an age which 'thought no scorn' of grossness, such as would sicken the purer, though not fastidious taste of ours. The descent was not wholly nor always voluntary; though the gratification of minds as far below his own as the sparrow's is lower than the eagle's flight, can hardly excuse the aberrations of an intellect like his.

The moral influence of the drama has not in general been of the most exalted kind. The reason of this is not that it is incapable of being rendered full of instruction; or that it is in its nature at all inferior in this respect to any other description of poetry. On the contrary, there is perhaps no form of composition in which the most elevated lessons can be brought more directly home to the heart—none in which those sentiments, by which our minds are said to be purified, can be more impressively or forcibly displayed. It may thunder forth its warnings and threatenings with the awful energy of inspiration; it may utter the burning accents of intense and overwhelming passion; it may allure or terrify us with the solemn persuasion of real and living example. In these respects, it occasionally goes beyond other poetry as far, as the quivering muscles, the distorted features and the convulsive agony of the victim of actual torture may be supposed to afford a more vivid idea of suffering, than the marble Laocoon. The evil is, that in holding the mirror up to life, it reflects all the images towards which its surface may chance to be directed. In the sister, but inferior arts of painting and sculpture, the human form is represented, not with its blemishes, not in its deformity, but with something of the purity of ideal perfection; and thus the representations of poetry, so far as respects their effect, should be adapted to the desires of the mind; they should present us, not with that which may sometimes be, for that would excuse all possible grossness; but in humble imitation of the obvious system of Providence, they should labor to exhibit virtue in all its loveliness and beauty, without throwing an unnatural gloss and attraction over sensuality and vice. How often have men forgotten, that the only true object, and all the real dignity of

literature are lost sight of, when it is designed to charm only, and not to elevate! It may be said, that the purpose of the dramatic writer is to please, and his productions must therefore be adapted to the taste of his judges; but the cause of any fault can hardly be pleaded as its apology.

Passing over the dramatic writers, we come again to Milton. He stood apart from all earthly things. He may be likened to that interpreter of the mysterious things of Providence, who sits in the bright circle of the sun; while Shakspeare resembles rather the spirit created by his own matchless imagination, which wanders over earth and sea, with power to subdue all minds and hearts by the influence of his magic spell. The poetry of Milton is accordingly solemn and dignified, as well becomes the moral sublimity of his character, and the sacredness of his awful theme. His mind appears to have been elevated by the glories revealed to his holy contemplation; and his inspiration is as much loftier than that of other poets, as his subject was superior to theirs. It is superfluous to say, that his moral influence is always pure; for how could it be otherwise with such a mind, always conversant with divine things, and filled with the sublimest thoughts? Yet it has been sometimes said, that the qualities with which he has endued that most wonderful of all poetical creations, the leader of the fallen angels, are too fearfully sublime, to be regarded with the horror and aversion, which they ought naturally to inspire. He is indeed invested with many sublime attributes;—the fierce energy, unbroken by despair—the unconquerable will, which not even the thunders of the Almighty can bend;—but these qualities, though they may fill us with wonder and awe, are not attractive. His tenderness is only the bitterness of remorse, without end and hopeless; his self-devotion is only the result of wild ambition; and a dreadful retribution at length falls upon him, 'according to his doom.' In this exhibition of character, there is undoubtedly vast intellectual power, but there is nothing redeeming—nothing which can win the soul to love. We dread the effect of those delineations, in which crime, from which nature recoils, is allied to qualities, with which we involuntarily sympathise; such portraits are of evil tendency, because though unnatural, they are still attractive; but great crime frequently supposes the existence of imposing traits of character, which may excite admiration, without engaging sympathy. We are interested in Conrad, because his fierce and gloomy spirit is

mastered by the passion, which masters all;—because in him it is deep and overwhelming, yet refined and pure—like the token, which restored the repenting Peri to Eden—the redeeming and expiatory virtue, which shows that the light of the soul, however darkened, is not extinguished altogether—and we do not ask, how purity and love can find their refuge in a pirate's bosom—we do not remember, that they could as hardly dwell there, as Abdiel among the rebel host. Not so the ruined Archangel. In him all may be grand and imposing, but all is dark, stern, and relentless. If there be aught to admire, there is at least, nothing to imitate. Through all the writings of Milton, there reign a loftiness and grandeur, which seem to raise the soul to the standard of his own elevation. The finest minds have resorted to them for the rich treasures of eloquence and wisdom; and they might also find in them the more enduring treasures of piety and virtue.

We have already found occasion to offer some remarks upon the literature of the age of Charles II. It is a subject, on which we have little inclination to dwell; but it is with sorrow and shame, that we see the influence of such an age exhibited upon a mind like that of Dryden. They drove him to devote powers intended for nobler purposes, to gratify the polluted tastes of a shameless court; and, by a just retribution, his dramatic compositions can hardly be said to have survived him; not one of them is at this day acted, or generally read. We see him first, embalming the blessed memory of the Lord Protector,—then, exulting in his Sacred Majesty's most happy restoration,—next, fabricating rhyming tragedies to gratify the French prejudices of a king, who was not ashamed to become the pensioner of France, or lascivious comedies to minister to the grovelling inclinations of the Defender of the Faith—presently, descending like one of Homer's deities, to the field of political and religious controversy. Thus the intellect, which was formed to illuminate the world, was quenched in the obscurity of low or temporary subjects; thus, with power to become a great reformer, he chose to follow in the track of vulgar prejudices; instead of asserting his just rank as a sovereign, he made himself a slave; and the result is before us in the fact, that his reputation is now almost wholly traditional, and would hardly be known otherwise, but for the noble Ode for St. Cecilia's day. We are not insensible to the unsurpassed excellence of his versification, or the blasting power of

his satire; but the traces of elevated moral sentiment and of admiration or even perception of the grand and beautiful in nature and in character, are rarely to be discovered in his writings. Perhaps he was cautious of displaying what must have excited the immeasurable contempt of the wits by whom he was surrounded.

The beginning of the last century was distinguished by the genius of Pope; of whom nothing can now be said, that has not frequently been said before. There are still many, who persist in denying his title to the honors of the poetical character, with a zeal, which nothing but the ancient penalties of heresy will be able to subdue. If, however, he has been assailed by Bowles, he has found no vulgar champions in Byron and Campbell; and if he were living now, it would doubtless, in the language of Burke, 'kindle in his heart a very vivid satisfaction to be so attacked and so commended.' It is not easy to believe him to have been the least among the poets, who could shoot with such unequalled brilliancy into the upper sky, while Addison was still in the ascendant, and when the star of Dryden had hardly yet gone down. Nature was not perhaps always regarded by him with a poet's eye; for it seemed then, as if she was to be abandoned to pastorals; as if one might scarcely venture to go forth into the country, without arming himself with a shepherd's crook. But he was the poet of manners and of social life; and it is not the smallest of his merits, that he made poetry familiar to thousands, who had never felt its influence before. The tendency of his writings is precisely what might be expected from a knowledge of his character—a character, of which Johnson, whose praise issues forth like a confession extorted by the rack, is compelled to speak in general with commendation. Early and unrelieved infirmity rendered him irritable, while the unbounded admiration which was so profusely lavished upon him, made him vain; and both these qualities are abundantly exhibited in some of his writings, where the sins of his enemies are visited upon those who had never offended him, and character is wantonly invaded, apparently with the sole design of displaying his extraordinary power. In some instances, he aims to rival the unapproachable vulgarity of Swift; but the wit is a poor atonement for the grossness.

The Rape of the Lock was denounced by the frantic criticism of Dennis, as deficient in a moral; while Johnson, with

his usual politeness, thought no moral more laudable than the exposure of mischiefs arising from the freaks and vanity of women. It is obvious enough, however, that Pope, except in the Essay on Man, and perhaps in his epistles and satires, had rarely any moral purpose in his view; but it would be difficult to defend the morality of the verses to the Memory of an Unfortunate Lady, or of some of his imitations of Chaucer. We are often told, that satire is a powerful auxiliary of truth; and there is no doubt, that even while indulging in the gratification of personal resentment, or any other equally ignoble passion, the satirist may promote that cause, by his denunciations of vice and folly; though the effect will certainly be diminished by the meanness of the motive. But he is too apt to grow so warm in the cause, as totally to overlook the higher object, in his zeal to overwhelm an adversary, or to take vengeance upon the world, for the fancied neglect or injury of a single individual. In addition to this, he is often seduced by the popularity which is sure to attend invective against some fashionable vice or folly, of which the succeeding age retains no traces; so that the fashion and the reproof soon perish together. His object may be a laudable one, though it will be far less important, and far less lasting in its effect, than it would be, if he should expose vice and imperfection as they exist universally, and at all times. The satires of Donne are now forgotten, notwithstanding the rich drapery which Pope thought fit piously to throw over his old-fashioned and somewhat ragged habiliments. Those of Dryden—as we have already intimated—were founded upon subjects of local or temporary interest. His Absalom and Achitophel was levelled at a faction, which soon experienced the fate of all other factions; his Medal was written upon the occasion of Shaftesbury's escape from the fangs of a grand jury; and his Mac Flecknoe, for the laudable end of exterminating his successor in the Laureate's chair. Young is less liable to this objection than any other English satirist; but great as was his popularity in his own day, his Universal Passion has sunk into obscurity. The Vanity of Human Wishes, and London, are the effusions of a nervous and powerful mind, more strongly tinctured with misanthropy and indignation, than with sound philosophy. In our own times, we have seen Gifford marching forth with the port and bearing of Goliath, against a host of butterflies, who naturally enough took wing, at the din and fury of his onset; and we have seen Byron also,

visiting the coarse malignity of a single reviewer upon all his literary brethren, with a wantonness and injustice, which he was himself the first to regret. We may thus perceive, that if satire be the instrument of virtue, it is so often borrowed for other purposes, that virtue is not always able to employ it for her own; and when those other purposes have been accomplished, the benefit—if there be any—is not permanent. The artillery may remain, but the foe has vanished. Some of Pope's satires are of universal and lasting application; but the Dunciad is little better than a monument of wrath, erected in memory of departed and forgotten dunces.

The English poetry of the last century was, upon the whole, more elevated in its moral tone, than that of any former period. It may be considered as a cause as well as an evidence of this superiority, that some of the most eminent writers at its commencement, who exerted a powerful influence over public taste and sentiment, were men of pure and unquestionable character. Addison was then at the meridian of his stainless fame. He had taught the world a lesson which it was too slow to learn, that the attractions of wit and eloquence may gracefully be thrown around truth and virtue; and that in order to become a good and popular writer, it is not indispensably necessary to be an atheist and blasphemer. If he is deficient in the vigor and power of some of those who went before him, it should be remembered, that the character of his works was not in general such as essentially to require, or to afford very full opportunity for the display of either. His main intention was, to describe life and manners; to apply the force of ridicule to the foibles and follies, as well as to the faults and vices of social life; to present truth and morality in alluring colors, to those who had been previously disgusted at its stern and repulsive aspect; and it cannot be doubted, that as far as the influence of a single mind could go, this object was successfully accomplished. The same praise is equally due to Richardson, whose name seems now to be better known and more respected in other countries, than in his own. One who is led by curiosity to read his novels, though he cannot fail to read them with interest, and to admire the purity of the sentiment and the vivid delineations of passion, can yet hardly form a conception of their popularity when they first appeared. Addison taught the intellect and fancy, and Richardson the passions, to move at the command of virtue; the influence

of both was great and extensive over the sentiments and taste of others; and we cannot but think, that much of the superiority of the period immediately succeeding that in which they lived to that which preceded, in refinement and delicacy at least, if not in morality, is to be attributed to the example which they gave. It is true, that the essentially coarse and vulgar minds of Fielding and Smollett, abounding as they did in humor and vivid powers of describing life and character, did much to weaken the impression which Richardson had made; nor was it owing to any want of effort, that they failed to corrupt moral sentiment completely. But they were not successful; and any one who will turn to Southey's Specimens of the later English Poets, (we cannot find it in our hearts to ask a fellow-creature to read them through,) will be surprised to find in how few instances morals and decency were disregarded or outraged by the poets, small and great, of any part of the last century. It is impossible to speak of any considerable portion of them at length, nor is it necessary. We will barely advert for a moment to three of them, whose writings are at this time more generally read than those of any of the rest. It may here be observed, however, that this period embraces very many names, particularly in the earlier part of it, of which England will long continue to be proud. With all its variety of excellence, there is little that savours of copyism or of affectation. What can be more unlike, than the mild sweetness of Goldsmith, and the gloomy magnificence of Young; the gentle pathos of Collins, and the homely strength of Johnson; the classical elegance of Gray, and the native simplicity of Burns?

There are few who do not love to contemplate the two great masters of descriptive English poetry, Thomson and Cowper; with whom we seem to converse with the intimacy of familiar friends, and almost to forget our veneration for the poets, in our love and admiration of the virtues of the men. Both had minds and hearts which were touched with a feeling of the beauty, and fitted to enjoy the influences of nature; and the poetry of both was elevated if not inspired, by religious veneration of the Great Author of the grand and beautiful. The view of Thomson was bold and wide; it comprehended the whole landscape; he delighted to wander by the mountain-torrent, and in the winter's storm; and it seemed as if the volume of nature was open and present before him. It is not so with Cowper. His lowly spirit did not disdain the hum-

blest thing that bore the impress of his Maker's hand; he looked with as keen an eye of curiosity and admiration upon the meanest flower of the valley, as upon the wide expanse, glittering in the pure brilliancy of winter's evening, or bright with the dazzling glory of the summer noon. He made the voice of instruction issue from the most familiar things, and invested them with beauty, hourly seen, but never felt before; and he painted them all with the pure and delightful coloring of simplicity and truth. Who is there, but must wish, that Burns had held communion with such minds, and resorted to the fountain of their inspiration? We know not that he was inferior to either in quickness to feel, or power to describe, all that is bright and alluring in nature or in the heart; but there is something startling in the dark and fierce passions which overshadowed his better nature; in the wild and reckless blasphemy, by which he insulted man, and defied his God; in the stunning notes of that frantic debauchery, by which he was at length mastered, and brought down to the dust. The feeling of devotion steals upon him, like the recollections of earlier and happier years; love, pure and disinterested love, subdues sometimes the fury of his soul to gentleness and peace; his proud and manly spirit appears sometimes to burst its fetters, and restore the wanderer to virtue; but the effort is over, and it is vain. He sinks into the grave, friendless and broken-hearted, and his example remains, like a light upon a wintry shore, whose rays invite us, whither it would be death to follow.

We are unwilling to enumerate Rogers and Campbell among the poets of the last century, though the great works of both were published before its close, and though the latter part of it is so far inferior to the first, in the number of its illustrious poetical names, as to require some such addition to the list. The sweet music of both is associated with our most pleasing recollections. The lyre of Rogers resembles an instrument of soft and plaintive tone, which harmonises well with the memory of our early days; that of Campbell is no less sweet, but deeper and more powerful, and struck with a bolder hand. Both are in strict and constant unison with virtue. Indeed, with one or two ominous exceptions, it is delightful to perceive the moral beauty of the poetry of this age in general. Moore, it is true, is an old offender. He appears to have composed the lascivious prettinesses of his youth much in the same man-

ner, as the unfledged votaries of fashion affect the reputation of grace and gallantry; and we occasionally find symptoms of love-making in his verses now, which it is high time for a person of his years and discretion to have done with. It is the recollection of these, which goes far to diminish the pleasure with which we should otherwise welcome his sacred and lyric song. But what shall we say of Byron, riven and blasted by the lightning of his own relentless passions—hurried onward, often against the persuasion of his better feelings, as the sailor's bark in the Arabian tale is dashed by some mighty and mysterious impulse, upon the fatal rock? The light that was in him became darkness; and how great was that darkness! His example, we trust, is destined rather to dazzle than to blind; to warn, but not to allure. We do not now remember any other high examples of this moral delinquency. In Wordsworth, we see a gentle lover of nature, always simple and pure, and sometimes sublime, when he does not labor to give dignity to objects which were never meant to be poetical. Southey's 'Gorgons and Hydras and chimeras dire' are well-trained; and the minstrelsy of Scott is of a higher strain than that of the times of which he sung.

Literature, in reference to its moral tendency, is of three kinds; one of which is decidedly pernicious; another, indifferent in its character, being neither very hostile nor very favorable to correct sentiment; and a third, decidedly pure and happy in its influence. By far the greater part of English poetry appears to us to belong to the last of these classes; but there are portions, and considerable portions too, which belong to both of the others. We seem hardly to have a right to claim, that it should always be actually moral; and yet the writer, who forgets this object, forgets one of the great purposes for which his talent was bestowed. There is another error for which poetry is responsible—that of presenting false views of life. Most young poets are as desperately weary of the world, as if they had traversed it, and found it all vanity. We learn from a high authority, that misery is the parent of poetry; but we should be led to believe, from the tone of many of our bards, that poetry is the parent of misery. Young proposed to draw a correct picture, in his True Estimate of Human Life. He published that part, which represented it in eclipse; but the bright side was unhappily torn in pieces by some lady's misanthropic monkey. In his Night Thoughts, life

is painted in no very alluring colors; but the sunbeam breaks through the dark masses of the cloud. We do not complain of the satirists for this; for such is the very end of their vocation. The views of life which every writer presents, will be colored in some degree by his own circumstances, and state of feeling; but we suspect, that the most melancholy poets have not in general been the least inclined to enjoy the world in their capacity of men, and that they have often drawn more largely from imagination than experience. This fault, however, is not a very common one among English poets of the highest order. All their faults, indeed, are few and small in comparison with their great and varied excellences. We regard it as an extraordinary fact, that so little attention has been paid to English literature in general, by those who must be considered most competent to understand its value. Our systems of education make our youth familiar with that of early ages, and of other nations; an acquaintance with it is considered indispensably necessary for every gentleman and scholar; while little, comparatively very little, has been done to acquaint us with that which we may call our own, at the period of life when the heart would most deeply feel the beauty, and the ear be most sensible to the music of the 'Lowland tongue.' Until recently, no provision whatever has been made in our literary institutions, either to turn the attention of the student towards it, or to guide him in his voluntary inquiries. In our schools, English poetry has been employed as an exercise for teaching boys to read, from time immemorial; but nothing has been said or done to induce the pupil to believe, that the poetry was originally written for any other purpose. Now, without undervaluing the literature of other countries or of antiquity, we believe, that the business of education is only half accomplished, so long as our own literature is neglected. Within a few years, a better spirit has been visible; but we are not yet acquainted with any treatise upon the subject of English literature—any critical examination of its merits. The field is a broad one; and we trust, it will not long be justly said, that its treasures are within our reach, but that we have neither solicitude nor even inclination to gather them.

We are pleased with this volume, both because it offers an indication of a growing interest in the subject, and because the tendency of such works will be, to excite attention towards it. Mr. Cheever's selections in general afford evidence of

correct judgment and cultivated taste. We should hardly, however, have extracted the poetry contained in the Waverley novels, in order to give the most exalted idea of Scott's poetical genius; or have given the 'Soldier's Dream,' as one of the best of Campbell's smaller productions; and we think that in his selections from Southey and Moore, the compiler might have drawn more largely from the earlier writings of the one, and the Irish Melodies of the other. Nor can we readily admit the equity of the rule, which allows to Graham and Bloomfield twice the space which is allotted to Pope. But these are small blemishes; and, after all, it is by no means certain, that readers in general will not approve his taste, at the expense of ours. The selections from most of the poets, are accompanied by well-written and discriminating sketches of the characteristics of their style. On the whole, though the compilation is stated to have been made for the use of the young, it is one, which persons of mature age may read with pleasure and advantage.

ART. VIII.—*An Epitome of Universal Geography, or a Description of the Various Countries of the Globe, with a View of their Political Condition at the Present Time.* By NATHAN HALE. Boston. 1830.

The author of this work is already known as a geographer by his excellent Map of New England and by several other valuable contributions to the science. It is understood that he has been employed for some years past in collecting materials for a more extensive work. The present publication has been looked for with a good deal of interest, and we think that it will fully satisfy the general expectation. It is a compendium intended principally for the use of schools, and better fitted for its purpose on several accounts than any other with which we are acquainted. The facts are selected with care and judgment, and stated with the well-known accuracy and exactness of the author. The political and historical parts are brought down to the present day, and include a notice of the most important events and arrangements of recent date in Europe and Spanish America. The mode of distributing the materials is, in our opinion,

the best for the object in view. The work is accompanied by a list of questions, which facilitate the use of it to the instructer and the pupil.

In addition to its other recommendations, this compend includes a much greater number of maps than any one that has yet been published. This advantage has been obtained by the application of a new method of printing maps in the stereotype form, invented and patented by the author, and of which some specimens have already been given to the public in the Boston Daily Advertiser. By means of this method, our author has incorporated the maps into the body of the work, and thus at once facilitated the use of them, and enabled the student to economise more than half the expense, which has hitherto been necessary for the purchase of school-books in this department. The price of the volume is the same with that of the abridgements now in use, or a dollar, and as these require to be accompanied by an atlas, which costs, in the cheapest form, at least, a dollar and a quarter, the purchaser will be relieved from this additional charge, and will possess a collection of maps three or four times as large as that contained in a common atlas. This circumstance alone will, we think, be sufficient to introduce the work into general use in schools, and will give it an advantage over most of those that have lately been published of a similar description.

We have remarked above, that the method of distributing his materials, which has been adopted by Mr. Hale, and is in substance the same with that employed in the most approved preceding treatises, appears to us to be the best for the object in view. We are aware that some geographers of merit and reputation have lately adopted a different one, and instead of placing under the head of each particular country all the facts and materials that serve to illustrate its geography and history, prefer, for the basis and substantial part of their works, a more general arrangement, which is intended to give at once a complete view of the whole surface of the globe in reference to each of the ordinary divisions of a chapter. Thus instead of stating under the head of *France* and the *United States*, that these countries are situated in a temperate climate, they make a distinct head of *climate*, and class together under or according to their respective varieties of temperature all the different regions of the globe; and so of the other divisions. This system, though useful perhaps for certain purposes, is not, we think, so well

adapted for young students as the one in common use. The great object in practical geography is to connect with the names of the different states and kingdoms of the globe the largest possible number of statistical, political and historical details, in order that when we meet with the name of any country in reading a book or a newspaper, we may immediately have before our minds the most important facts that are generally known or necessary to be known respecting it, or if we have not them already, may know at once where to look for them. This object is best accomplished by distributing the materials under the heads of the different countries, and thus making the name of each the key or index, which naturally suggests those belonging to it to the memory. For the merely scientific purpose of studying geography on the largest scale, the other arrangement might perhaps be preferable, although it is liable even for this purpose to the objection that it leads almost unavoidably to continual repetition, which, by swelling the size of the book, occasions of course a proportional expense to the purchasers.

Although we do not frequently notice works of a merely elementary description, we have felt it our duty to make an exception to our general rule on this occasion; and we do it with the more pleasure in favor of a writer to whom the readers of this journal are indebted for several interesting articles on subjects connected with geographical and statistical science. The work before us is intended immediately for the use of schools; but from its great accuracy and the care with which the materials have been compiled, will also be found for other purposes a very convenient manual.

ART. IX.—*Speeches made in the Senate of the United States, on occasion of the Resolution offered by Mr. Foot, on the Subject of the Public Lands, during the First Session of the Twenty-first Congress.*

The debates of a deliberative body, under a free government, are not always intended to settle particular points or despatch single matters of business, by a close discussion; but very often to produce general impressions, by a free interchange of thought, on a great variety of topics. The debates in Congress are complained of,—we have made the complaint

ourselves,—as unreasonably long, discursive, and wanting pertinence to any matter in hand, which is to be decided, in the result of the debate, or influenced by the mode, in which it is conducted. But the instance now before us will sufficiently illustrate the fact, that a debate may possess the highest interest and really be of great importance, although it may be hard to tell what the subject is, or whether it has any subject.

Till the administration of Mr. Jefferson, it was the custom for each House of Congress to return an answer to the speech of the President, delivered at the opening of the session. In imitation of the British Parliament, from which also the practice of answering the speech was borrowed, it was usual to make this answer the occasion of a miscellaneous debate, on the general policy of the administration. This debate would naturally be as various in its topics, as the message of the President; and be likely to cover at least every contested point of public policy. In this way a debate arose, at the beginning of several sessions of Congress, previous to Mr. Jefferson's administration; which, as no particular point was at issue, and no specific legislative measure in discussion, may have been thought to be a waste of public time, or regarded perhaps as an occasion unnecessarily furnished for drawing into controversy the measures of the executive. By changing the form of the annual communication, from that of a speech to that of a message, the necessity of an answer was precluded. It would also appear, from Mr. Jefferson's letter to Congress, accompanying his message and announcing the change proposed to be made, in the practice of the executive, that there were some circumstances of convenience in Philadelphia, attending the personal communication to Congress of the presidential address, which did not exist in Washington.*

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* As this is a matter, not without interest in the parliamentary history of the country, we subjoin Mr. Jefferson's letter.

'*December* 8, 1801.

'*Sir*,—The circumstances under which we find ourselves at this place, rendering inconvenient the mode, heretofore practised, of making by personal address the first communication between the legislative and executive branches, I have adopted that by message, as used on all subsequent occasions, through the session. In doing this, I have had principal regard to the convenience of the legislature, to the economy of their time, to their relief from the embarrassment of immediate answers on subjects not yet fully before them, and to the benefits thence resulting to the public affairs. Trusting that a procedure founded in

Whatever were the motives, which dictated this change, (an advantageous one upon the whole,) it was wholly nugatory as a measure to suppress miscellaneous debate. The very nature of a representative government, and of free parliamentary bodies draws with it, as we have just intimated, the necessity of such debate. The utmost that can be done, by usage or parliamentary law, is, to impose some slight restraints on the times, at which it may arise, and the extent to which it shall be carried. The very session, when this change took place, in the mode of communicating the executive address, witnessed one of the most discursive political debates, that had ever arisen in Congress, that on the Judiciary. In the history of the session, it is said,

'From this period, the debate assumed the harshest features of party antipathy and prejudice. Few of the following speakers confined themselves to the merits of the question, while many entirely lost sight of them, in the vehemence of their feelings. Whatever of prejudice or of truth, that related to the past, present, or expected measures of the Government, was liberally and tiresomely repeated, until the patience of the House, apparently exhausted, no longer brooked delay.'

And after recording the final vote, on the passage of the bill, this writer adds, 'thus ended this gigantic debate.'*

We have on a former occasion,† considered somewhat at length the circumstances, which give a character to the style of debating in Congress, and will only here repeat the idea, that no effectual limits can be put to the number and length of the speeches, but those, which arise from press of business. Toward the close of each session, much important business passes through its final stages, with very little debate. In proportion as the business of the Union to be transacted by Congress increases, the pressure will begin to be felt earlier in the session; and the days and weeks now wasted on unimportant

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these motives will meet their approbation, I beg leave through you to communicate the enclosed message, with the documents accompanying it, to the honorable the House of Representatives, and pray you to accept for yourself and them the homage of my high respect and consideration.

TH: JEFFERSON.

The Honorable the Speaker of the House of Representatives.'

* History of the last session of Congress, which commenced December 7th, 1801. p. 70.

† North American Review for October, 1827. Art. VIII.

topics, at its commencement, will be redeemed to assiduous legislation.

The debate in the Senate of the United States, at the last session of Congress, was every way remarkable; and for the importance of the nominal subject under consideration, the wide range of the general discussion, the number of the speakers, the ability of many of the speeches, and the transcendent power of that, which gives the chief notoriety to the debate, stands unsurpassed in interest, in our parliamentary annals. It would be foreign from the character of this journal, to take sides in those parts of this discussion, which were of a partisan character; but having from the foundation, devoted a portion of our pages to the discussion of very grave topics of elementary politics and constitutional law, we have judged it not improper to submit to our readers, those views, which have presented themselves to us, in the general reconsideration of this controversy. It would perhaps be self-deception to say, that we do this, *sine irâ aut studio, quorum causas procul habemus;* but, if we do not mistake ourselves, we do it with feelings, whether of favor or aversion, far beyond the range of ordinary party excitement; feelings chastened with the most solemn persuasion, that the welfare of this country, the happiness of our children to the end of time, and the cause of free government and liberty, throughout the world, are at stake, in the decision of the controversy carried on during the past winter in the Senate of the United States.

The occasion which led to the debate,—its ostensible subject,—is one of importance undeniably great, and on this we shall first say a few words. It is calculated, that the entire superficies of the States and Territories organized into the Federal Union, and of the vast region west of them to the Pacific, subject to the Federal Government, amounts to more than fourteen hundred millions of acres. Of this vast extent of country, the ultimate right of soil to one thousand and sixty-five millions of acres is still vested in the United States,—while the superficies of the States and Territories, as owned by the States or their citizens, amounts to less than three hundred and fifty millions of acres. It is true that, at present, these three hundred and fifty millions of acres, in which the United States have no right of soil, are geographically and physically of vastly greater importance than the thousand millions, which constitute the public domain. But with every year, or rather with every

hour, the relative importance of the two portions of the country is changing; and when it is considered that within the portion, of which the right of soil is in the United States, are comprehended a large part of the States of Alabama and Mississippi, and a very great portion of Indiana and Illinois, east of the Mississippi, and almost the whole of the region west of it; it requires no very prophetic spirit to perceive, that whether surveyed in its economical or its political connexions, this question of the public domain of the country is prodigiously momentous.

There is a circumstance too, which makes it as delicate as it is important. There are about one hundred and seventy millions of acres of this land (including that to which the Indian title has not been extinguished) in the States of Ohio, Indiana, Illinois, Mississippi, Alabama, Louisiana, and Missouri; and there are about eighty-five millions of acres (also including those to which the Indian title has not been extinguished) in the territories of Arkansas, Florida, and Michigan, which territories will in the course of time, no doubt, become members of the Federal Union. In this way, we see, that immensely large portions of public domain are included within the limits of the state sovereignties. This circumstance will eventually give to the question of the public lands an interest not less commanding, than that possessed by the question of the Indians at the present day. Some of the States have advanced the claim, that the State Governments have a jurisdiction unshared by the United States, over all persons living within their boundaries;* and the President of the United States has decided, that he has no power to protect the Indian tribes, having treaties with the United States, against the exercise of that jurisdiction, it being in his opinion an essential incident of State sovereignty. In like manner, in several of the States, the claim has been set up, that the States, as an incident of sovereignty, possess the title to the soil of all the lands, not held by individuals, within their limits. No law has been passed, that we know of, by any State, to take possession of the public lands; as laws have been passed by three States, extending their jurisdiction over tribes of Indians, with whom the United States have subsisting treaties. But the State of Illinois has addressed a memorial to Congress, calling for a change in the

* This proposition, however, is obviously groundless in reference even to the free white citizens.

mode of disposing of the public lands, within the limits of that State, and intimating, that if this call is not satisfactorily answered, grave questions will arise; and among them, 'whether in reality the compact, under which the General Government claims these extraordinary powers, is consonant to the rights reserved to the States respectively, by the Constitution of the United States, or has in any wise been granted by that instrument; and finally, *whether the tenure, by which they hold the public lands, is valid and binding on the new States.*' The memorial, from which we quote this passage, bears no date, but was presented to the Senate of the United States, on the second day of February, 1829. The Governor of Illinois, Mr. Ninian Edwards, had, in a message to the Legislature of that State, (as we have understood,) questioned in strong terms the title of the United States to the public lands, within the limits of the States. Notes to the same effect, but uttered with various degrees of confidence and authority, have been heard from two or three other States, both at home and on the floor of Congress. But Indiana alone, we believe, has undertaken to decide the question. On the ninth of January, 1829, that State adopted a resolution by all the branches of its government, in the following terms: 'Resolved by the General Assembly of the State of Indiana, that this State, being a sovereign, free, and independent State, has the exclusive right to the soil and eminent domain of all the unappropriated lands within her acknowledged boundaries, which right was reserved to her by the State of Virginia, in the deed of cession of the North Western Territory to the United States, being confirmed and established by the articles of confederation and the Constitution of the United States.'

It must be confessed, that this doctrine has found no great favor as yet in Congress. In his speech on the New-Orleans Road Bill, delivered in the House of Representatives last winter, Mr. Archer, of Virginia, having spoken, in the severest terms, of the insolence of injustice in the project of distributing the proceeds of the sales of the public lands in some rateable proportion among the States, and having observed that, 'coming as it did from a quarter, in which no cession of lands had ever been made, it might be supposed to labor under some defect of modesty, he added,

'It stood entirely acquitted, however, upon this score, by comparison with another, having reference to the same subject of

lands. He alluded to the claim advanced recently in some of the new States, to the property of the whole of the public lands, comprehended within their respective limits, as a result of the character of sovereignty, which the United States had conceded to them, with this very condition annexed, of the reserve of this very property. A relation of war, between States, exposed *to seizure and forfeiture the property of either within the reach of the other.* A relation of the closest amity,—of incorporation into a common political community,—operated the same effect, according to the principle of the doctrine alluded to!"

Not less decisive is the censure of this doctrine, pronounced by a select committee of the House of Representatives, two years ago.* In their report on the subject committed to them they make use of the following (rather unduly severe) language:

'Encouraged by the success of these applications, several of the new States have now boldly *demanded* of Congress the surrender of the lands within their limits, although the sovereignty and right of soil were obtained by the treasure, or won from the Indians by the blood, of the citizens of the old States. These new States have affected to assert a right to what they, however, come before Congress to have awarded them by concession. Your committee will enter into no argument on the subject. These demands, the committee are disposed to believe, have been rather the acts of certain individuals, than the deliberate expression of the people at large. The patriotism of the citizens of the old States, who voluntarily conceded these lands to the *Union*, might here be placed by the committee in strong contrast with the want of that feeling in the citizens of the new States, who could seriously demand from the Union the surrender of all this invaluable property *to them alone.* But if any States have, in reality, an unhallowed desire *to get*, it may be useful to them to reflect that the other States have the power *to keep*, and that it is the *duty* of the representatives of these to know that if the national property is parted with, it is parted with only for the *general* advantage.'

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* This committee was raised on motion of Mr. James S. Stevenson, of Pittsburgh, and consisted, besides himself, of the following gentlemen: Mr. Earl, of New-York; Mr. Rives, of Virginia; Mr. Reed, of Massachusetts; Mr. Gale, of Maryland; Mr. Muhlenberg, of Ohio; and Mr. Gilmer, of Georgia. We have heard the report of the committee ascribed to its chairman, Mr. Stevenson. A large number of copies of it was ordered for distribution by the House of Representatives.

We have perhaps gone far enough to show, that this is a subject of great delicacy as well as importance.

It is not our intention, at present, to go into a detailed discussion of the subject of the public lands; we may perhaps do that on another occasion. We wish only to make such further statements respecting it, as will illustrate the origin of the debate in the Senate, at the last session.

The public domain of the United States has been acquired chiefly by the cessions made to the Union by the old States, at the close of the revolutionary war; by the Louisiana purchase; and by the Florida treaty.

The peace of 1783 found the United States of America in possession of large tracts of unsettled country, to which several of the States respectively had already put in a claim of exclusive ownership, as being within their chartered limits. This right was strenuously contested by some of the States, possessing no lands in that condition; particularly New-Jersey and Maryland, and more especially the latter, which, on this ground, refused to accede to the confederation till 1781. The reader, who would understand the question of the right of the separate States to the unoccupied lands within their limits, would do well to read the instructions of the Maryland delegates to the Continental Congress, laid before that body, 21st May, 1779.* This controversy was happily quieted by acts of cession to the United States of the lands in question, executed by those States which had preferred claims to an exclusive title. In this magnanimous policy New-York led the way by an act of cession of 1st March, 1781. Virginia followed on the 1st of March, 1784; Massachusetts on the 19th April, 1785; Connecticut on the 13th September, 1786. By these various acts of cession the United States acquired the title to the territory north-west of the Ohio; being the territory out of which have since been formed the States of Ohio, Indiana, and Illinois, the territory of Michigan, and an extensive region west of it, which will probably be soon organised under a separate territorial government. The claim of the State of Virginia covered nearly the whole of this region; that of the other States enumerated was limited to a part. These claims had their origin in the royal charters, which extended the bounda-

* Secret Journal of Congress for Domestic Affairs, p. 433.

ries of the several colonies from sea to sea, at a time when the geography of the country was so little understood, that the same region was granted to different colonies, by their contemporaneous or successive charters. Connecticut alone, in making her cession, reserved a tract of land, in the north-western part of Ohio, still popularly known as the 'Connecticut or Western Reserve,' which was afterwards ceded to the United States, on the 30th May, 1800; and by the United States to Ohio.* The sales by Connecticut of the lands in the district thus reserved, laid the foundation of her school fund.

Great reliance was had, during the revolutionary war, and under the old confederation, upon the public lands, as a resource for paying the debts contracted in the course of the revolution, and furnishing a permanent supply to the treasury. It is obvious, however, that the extent, to which these lands could contribute to any financial purpose, must depend on the progress of emigration and settlement; and these were seriously retarded by the inexecution of the British treaty; the hostile temper of the north-western Indians; and the troubles with Spain, relative to the navigation of the Mississippi. The indissoluble connexion of the progress of settlement, with the financial product of the land, would seem of itself to demonstrate the absurdity of some of the charges made on the Atlantic States, and particularly those of New England, in the course of the debate in the Senate last winter. Two of these charges were—the one, that these States looked, with an avaricious eye, to the public domain in the West, merely as a source of pecuniary benefit; and the other, that they endeavored to cripple the growth of the West: charges of which it may be enough to say, at present, that they are inconsistent with each other. We may only add here, that of the leading statesmen, who have recommended measures of that class, which has been construed into hostility to the West, General Washington and Mr. Jefferson are the most distinguished. Mr. Jefferson proposed to stock upper Louisiana with Indians, to serve, in his own language, as a *marechaussée*, to retard the emigration of the citizens of the United States, till the region east of the Mississippi was

* Report of the committee to whom was referred the consideration of the expediency of accepting from the State of Connecticut, a cession of jurisdiction of the territory west of Pennsylvania, commonly called the Western Reserve of Connecticut, 21st March, 1800.

filled up. General Washington urged the opening of artificial communications between the Atlantic and the Western States, partly, on the ground, that it would prevent the commerce of those states from descending the St. Lawrence and the Mississippi,—both of which, at that time, had their outlet in the dominions of foreign powers.

Prior to the adoption of the Federal Constitution, very limited sales were made of the public lands. Three tracts were sold by special contract. The first was 'The Triangle,' so called, a tract of land on Lake Erie, west of New-York, north of Pennsylvania, and east of the present State of Ohio; which was comprehended in the cessions to the United States, made by New-York and Massachusetts. This tract was ceded to the State of Pennsylvania on the 4th of September, 1788. It consisted of 202,187 acres, and the sum of 157,640 dollars was received for the sale of the lands. The second sale, prior to the Constitution, was that made to the 'Ohio Company,' of a tract of land on the Ohio and Muskingum rivers, originally intended to include about two millions of acres, but afterwards reduced, by the consent of the parties, to 964,285 acres. The price of these lands was two thirds of a dollar per acre, receivable in evidences of the public debt. The Ohio Company was formed by Winthrop Sargent and Manasseh Cutler, and commenced the settlement of the State of Ohio, then a wilderness uninhabited by civilised man, and now containing a population probably amounting to a million. The third of these sales was also in Ohio, to John Cleves Symmes, of the tract of land between the Great and Little Miami rivers. This sale, originally of one million of acres, was reduced by an alteration of the contract, and subsequently by a failure to perform its conditions, to 248,540 acres. On the lands purchased under this contract, were made the first attempts, which proved wholly successful, (though not the first in point of time,) to settle the territory north-west of the Ohio.

Bounty lands having been promised, by the Continental Congress, to the officers and soldiers of the continental army, it became necessary, as early as possible, to redeem that pledge. The controversies between the States and the United States, relative to the soil, retarded for some time the fulfilment of this purpose. On the 20th May, 1785, an ordinance was passed, for ascertaining the mode of disposing of lands in the Western territory, and this was the first act of general

legislation on the subject. The system commenced by that act underwent several changes, but in some important features, it resembled the system now existing.* Under this system, very limited sales were made, amounting in the whole to not more than 121,540 acres, viz. 72,974 acres, at public sale in New-York, in 1787, for 87,325 dollars, in evidences of the public debt; 43,446 acres, at public sale at Pittsburgh, in 1796, for 104,427 dollars; and 5,120 acres at Philadelphia, the same year, for two dollars an acre. In the year 1800, on the 10th of May, an act was passed, laying the foundations of the present land system. It has received many modifications at subsequent periods; particularly in 1820, the very important modification of substituting cash sales for the credit system, and reducing the price to $1,25 per acre. This act itself was amendatory of one which had been passed in 1796.

Under this act, the substantial features of the land system of the United States are as follows. All the lands are *surveyed by the Government*, before they are offered for sale; and this is the great improvement in the land system of the United States, over that of Virginia in apportioning her military bounty lands, which were picked out and surveyed by individuals receiving warrants, and thus subject to conflicting claims, productive of interminable legislation. The lands of the United States, as surveyed, are divided into townships of six miles square; and these are subdivided into thirty-six sections a mile square, and containing 640 acres. The dividing lines run according to the cardinal points, and cut each other at right angles, except where navigable rivers or an Indian boundary creates what are called fractional sections. The superintendence of the surveys is committed to five principal surveyors. One thirty-sixth part of the lands surveyed, being section number 16, in each township, is reserved from sale for the support of schools in the township; and other reservations have been made for colleges and universities. All salt springs and lead mines are also reserved, subject to be leased by the President. All lands not reserved are, under proclamations by the President issued from time to time to that effect, offered for sale at public sale, for cash, in tracts not less than a half quarter section, or eighty acres, and at the minimum price of one dollar and twenty-five cents per acre. Lands not sold at

* Land Laws, new edition, p. 349.

public sale are thenceforward subject to entry, at private sale, at the minimum price.* In addition to the fundamental principles of the land-law, numerous special laws have been passed, granting the right of pre-emption (that is, a prior right of entry at private sale), to the actual settler. But this and all other provisions of the law for the benefit of the actual settler have, in some districts, been rendered almost nugatory by unprincipled combinations of land speculators, who purchase the lands at public sale, at the minimum price, and then compel the actual settler to purchase of them, at an enhanced valuation. On the whole, the public obtains, on an average, little, if any thing, above the minimum price, although not a little of the land sold is of the best quality and worth several dollars per acre. Such lands are generally pre-occupied by intruders; and if not purchased of the government, at the minimum rate, by the land speculators just alluded to, the settlers themselves, by mutual agreement, forbear to bid on each other.

It appears that up to the present time about one hundred and fifty millions of acres of the public lands have been surveyed. Of these, thirty millions have not been proclaimed for sale; eighty millions have been proclaimed, but remain unsold; twenty millions have been sold, and as much more granted by Congress for education, internal improvement and other purposes. There are then one hundred and ten millions of acres surveyed but not sold; eighty millions of which are in the market, ready for entry, at the minimum price, at private sale; and thirty millions subject to be proclaimed for sale, whenever there is a demand. The annual expense of surveys, as they have hitherto been conducted, is sixty or eighty thousand dollars per annum, according to the statement of Mr. Foot, in his speech on the resolution moved by him.

And this brings us more particularly to that resolution, which was offered on the twenty-ninth of December last, and expressed in the following terms: 'Resolved, that the Committee on Public Lands be instructed to inquire into the expediency of limiting, for a certain period, the sales of the public lands to such lands only as have heretofore been offered for sale and are subject to entry at the minimum price, and also

* Most of the facts here stated may be found in Seybert's Statistical Annals; and in the new edition of the Land Laws, an excellent compilation, executed under an order of the House of Representatives, by the clerk of that body, M. St. Clair Clarke, Esq.

whether the office of Surveyor-General may not be abolished without detriment to the public interest.'

When this resolution was taken up on the following day, it was opposed, on the ground that it was a part of a systematic policy for crippling the growth of the West, which had been pursued for forty years. That no such policy ever existed was, we think, satisfactorily shown, in the course of the debate that ensued, particularly by Mr. Sprague of Maine, in answer to Mr. Benton.

After the resolution had been debated, at no great length, for a day or two, in the form, in which it was originally offered, Mr. Woodbury moved an amendment to it, which went to reverse its character, and change it into an inquiry into the expediency of hastening the sales and extending more rapidly the surveys of the public lands. This proposition was variously opposed and sustained, till, on motion of Mr. Sprague and by consent of Mr. Foot, the original resolution was combined with the proposed amendment, and the inquiry was to be alternative, as to the expediency either of extending the surveys and hastening the sales, or suspending the surveys and abolishing some of the land-offices, as recommended by the late commissioner of the general land-office.

Thus far the resolution had encountered a fate not uncommon with resolutions of inquiry. It was probably brought forward without any plan on the part of the mover to pursue it vigorously to any act of legislation. It was debated, at no great length, chiefly on its merits, with the ordinary admixture of topics of present party interest. It received such modifications as prevented the Senate from being pledged by its adoption to any policy with regard to the public lands. It was then in a state to go to the committee and receive such destiny, as they might please to give it, most probably that of a statistical report, condensing into moderate compass the most important information on the subject of the surveys and sales of the public lands, and recommending such resolutions as the majority of the committee should agree in, and which, when reported, would have gone to rest on the table of the Senate. We do not make these remarks from any purpose of disparaging the resolution. It is the course, which the majority, we apprehend, of the resolutions of inquiry moved in either house are intended, or at least expected to take, when moved.

In this state of things, Mr. Hayne of South Carolina ad-

dressed the Senate on the subject. We find the following abstract of his remarks, in a pamphlet edition of his Speech and the Second of Mr. Webster, published at Boston.

'Mr. Hayne, of South Carolina, now rose and said, that to oppose inquiry was not necessarily an unparliamentary course. Where information was really wanted or a policy questionable, it was proper to send the subject to a committee; but where there was full knowledge and fixed opinions, inquiry was neither necessary or proper. He concurred with the gentleman from Missouri, that it could never be right to *inquire into the expediency of doing a great and acknowledged wrong*. There were two great systems and two great parties in relation to the settlement of the public lands. One system was that which we had pursued, of selling the land at the highest price. Another was that of Great Britain, France, and Spain, of granting their lands for a penny or a peppercorn. He described the opposite results of these systems. That of the United States produced poverty and universal distress, and took away from the settler all the profits of labor. It drained the new States of all their money in the same manner as the South, by the operation of the tariff, was drained to enrich more favored sections of the Union. The South could sympathise with the West. If the opposite system had been pursued, who could tell how much good, how much improvement, would have taken place, which has not, in the new States? The important question was as to the future. He did not wish for a permanent fund in the treasury, believing it would be used for corruption. If he could, with the wave of a wand, convert the capitol into gold, he would not do it. But there was another purpose to which it was supposed the public land could be applied; viz. so as to create and preserve in certain quarters, a population suitable and sufficient for manufacturing establishments. It was necessary to create a manufactory of paupers, and these would supply the manufactories of rich proprietors, and enable them to amass great wealth. This doctrine was broached by the late Secretary of the Treasury.

'The lands were pledged for the public debt. This would be paid in three or four years. He was in favor of a system, which looked to the total relinquishment, at that time, of the lands to the States in which they lie, at prices, he would not say nominal, but certainly so moderate, as not to keep the States long in debt to the United States. In the course of his remarks, Mr. Hayne appealed to the gentlemen from the Atlantic States, if it was not true that the whole of their country was parcelled out and settled under the liberal system of Britain, instead of the hard and draining one, which we had hitherto pursued in regard to the

West. Mr. Hayne urged the necessity of distributing the lands to the States, from a regard to State sovereignty and the tendency of such a fund to produce consolidation.

With this speech commenced the great debate; all before was mere skirmish. Mr. Webster, on the following day, replied to Mr. Hayne, in a speech, which has been reported at length. The important topics were the general defence of the policy, which had been pursued by the Government towards the new States, which Mr. Hayne had characterised as severe; the dangerous tendency to the Union of the doctrines current at the South, doctrines to which Mr. Webster thought that sanction was given by Mr. Hayne in some of his remarks; and the injustice of the charge against the Eastern States, that they encouraged the tariff policy with the hostile design of checking emigration to the West. In this part of his speech Mr. Webster maintained, that New England had, from the first, taken an active part in measures favorable to the settlement and growth of the West. Her statesmen introduced the plan of public surveys, and the Ordinance of 1787, the basis of the civil institutions and of the prosperity of the North Western States, was drafted by Mr. Dane, a distinguished citizen of Massachusetts. On this subject he made the following remarks, which it is necessary to quote for the understanding of what follows.

'Then comes, Sir, the renowned Ordinance of 1787, which lies at the foundation of the Constitutions of these new North Western States. We are accustomed, Sir, to praise the lawgivers of antiquity; we help to perpetuate the fame of Solon and Lycurgus; but I doubt whether one single law of any lawgiver, ancient or modern, has produced effects of more distinct, marked, and lasting character, than the Ordinance of 1787. That instrument was drawn by NATHAN DANE, then, and now, a citizen of Massachusetts. It was adopted, as I think I have understood, without the slightest alteration; and certainly it has happened to few men, to be the authors of a political measure of more large and enduring consequence. It fixed for ever the character of the population in the vast regions northwest of the Ohio, by excluding from them involuntary servitude. It impressed on the soil itself, while it was yet a wilderness, an incapacity to bear up any other than free men. It laid the interdict against personal servitude in original compact, not only deeper than all local law, but

deeper, also, than all local constitutions. Under the circumstances then existing, I look upon this original and seasonable provision as a vast good attained. We see its consequences at this moment, and we shall never cease to see them, while the Ohio shall flow. It was a great and salutary measure of prevention. Sir, I should fear the rebuke of no intelligent gentleman of Kentucky, were I to ask whether, if such an ordinance could have been applied to his own State, while it was yet a wilderness, and before Boone had passed the gap of the Allegany, he does not suppose it would have contributed to the ultimate greatness of that Commonwealth? It is, at any rate, not to be doubted, that, where it did apply, it has produced an effect not easily to be described or measured, in the growth of the States, and the extent and increase of their population. Now, Sir, this great measure, again, was carried by the North, and by the North alone. There were, indeed, individuals elsewhere favorable to it; but it was supported, as a measure, entirely by the votes of the Northern States. If New England had been governed by the narrow and selfish views now ascribed to her, this very measure was, of all others, the best calculated to thwart her purposes. It was, of all things, the very means of rendering certain a vast emigration from her own population to the West. She looked to that consequence only to disregard it. She deemed the regulation a most useful one to the States that would spring up on the territory, and advantageous to the country at large. She adhered to the principle of it perseveringly, year after year, until it was finally accomplished.

On the subject of a hostility to the West evinced in the tariff policy, Mr. Webster made the following remarks.

'The gentleman alluded to a Report of the late Secretary of the Treasury, which, according to his reading or construction of it, recommended what he calls the tariff policy, or a branch of that policy; that is, the restraining of emigration to the West, for the purpose of keeping hands at home, to carry on the manufactures. I think, Sir, that the gentleman misapprehended the meaning of the Secretary, in the interpretation given to his remarks. I understand him only as saying, that since the low price of lands at the West acts as a constant and standing bounty to agriculture, it is, on that account, the more reasonable to provide encouragement for manufactures. But, Sir, even if the Secretary's observation were to be understood as the gentleman understands it, it would not be a sentiment borrowed from any New England source. Whether it be right or wrong, it does not originate in that quarter.

'In the course of these remarks, Mr. President, I have spoken of the supposed desire, on the part of the Atlantic States, to check, or at least not to hasten, Western emigration, as *a narrow policy*. Perhaps I ought to have qualified the expression; because, Sir, I am now about to quote the opinions of one, to whom I would impute nothing narrow. I am now about to refer you to the language of a gentleman of much and deserved distinction, now a member of the other House, and occupying a prominent situation there. The gentleman, Sir, is from South Carolina. In 1825, a debate arose in the House of Representatives, on the subject of the Western road. It happened to me to take part in that debate; I was answered by the honorable gentleman to whom I have alluded, and I replied. May I be pardoned, Sir, if I read a part of this debate?

'"The gentleman from Massachusetts has urged," said Mr. Mc Duffie, "as one leading reason why the government should make roads to the West, that these roads have a tendency to settle the public lands; that they increase the inducements to settlement, and that this is a national object. Sir, I differ entirely from his views on the subject. I think that the public lands are settling quite fast enough; that our people need no stimulus to urge them thither; but want rather a check, at least, on that artificial tendency to the Western settlement, which we have created by our own laws.

'"The gentleman says, that the great object of Government, with respect to those lands, is not to make them a source of revenue, but to get them settled. What would have been thought of this argument in the old thirteen States? It amounts to this, that those States are to offer a bonus for their own impoverishment, to create a vortex to swallow up our floating population. Look, Sir, at the present aspect of the Southern States. In no part of Europe will you see the same indications of decay. Deserted villages—houses falling to ruin—impoverished lands thrown out of cultivation! Sir, I believe that if the public lands had never been sold, the aggregate amount of the national wealth would have been greater at this moment. Our population, if concentrated in the old States, and not ground down by tariffs, would have been more prosperous and more wealthy. But every inducement has been held out to them to settle in the West, until our population has become sparse, and then the effects of this sparseness are now to be counteracted by another artificial system. Sir, I say if there is any object worthy the attention of this Government, it is a plan which shall limit the sale of the public lands. If those lands were sold according to their real value, be it so. But while the Government continues, as it now does, to give them away, they will draw the

population of the older States, and still farther increase the effect which is already distressingly felt, and which must go to diminish the value of all those States possess. And this, Sir, is held out to us as a motive for granting the present appropriation. I would not, indeed, prevent the formation of roads on these considerations, but I certainly would not encourage it. Sir, there is an additional item in the account of the benefits, which this Government has conferred on the Western States. It is the sale of the public lands at the minimum price. At this moment we are selling to the people of the West lands at one dollar and twenty-five cents, which are worth fifteen, and which would sell at that price if the markets were not glutted."'

Mr. Webster then quoted an extract from his own speech in 1825, in reply to Mr. Mc Duffie, and closed with moving the indefinite postponement of Mr. Foot's resolution.

Mr. Benton of Missouri followed, in reply, on the following day.

'He said, that if it had depended on New England,—he would proclaim it to the world,—not a settlement would have been made in the West. He repeated his arguments in relation to the Spanish treaty, and the non-settlement clause; he said the motive of the North, for acceding to the surrender of the navigation of the Mississippi, was to have Spain take train oil and codfish from us, *id est*, from *New England*. God save us, said Mr. B., from such allies. He joined issue with the gentleman from Massachusetts, as to the benefits conferred by the East upon the West.

'Thursday, January 21. Mr. Chambers, of Maryland, hoped that the Senate would postpone the discussion until Monday, as Mr. Webster, who had taken a part in it, and wished to be present at it, had unavoidable engagements out of the Senate, and could not conveniently attend.

'Mr. Hayne, of South Carolina, said that some things had fallen from the gentleman from Massachusetts, which had created sensations *here*, (touching his breast), from which he would at once desire to relieve himself. The gentleman had discharged his weapon, and he (Mr. H.) wished for an opportunity to return the fire.

'Mr. Webster. I am ready to receive it; let the discussion proceed.

'Mr. Benton, of Missouri, then continued his remarks, denying that the credit of framing the ordinance of 1787 was due to Nathan Dane; it belonged to Mr. Jefferson and the South. Mr. Benton said, that in New England there was a dividing line between the friends of the West, and those who thought it "unbe-

coming a moral and religious people to rejoice at victory.' On one side was democracy; on the other, all that was opposed to democracy; the alliance of the latter party, offered yesterday to the West, he begged leave, in behalf of the West, to decline. On all the questions in which the West had an interest, the South had been its friend; and the North, if not all, at least its leaders, enemies! Massachusetts, who now came forward to offer an alliance, was found, on every question, opposed to generous, magnanimous Virginia.

'Mr. Bell, of New Hampshire, moved to postpone further discussion until Monday, which was negatived—Ayes 13, Noes 18.'

Mr. Hayne then proceeded with his speech in reply to Mr. Webster, which occupied the Senate for two days.

The exordium contained some caustic remarks on the manner in which Mr. Webster had engaged in the debate. In reply to Mr. Webster's allusion to Mr. Dane, as the author of the ordinance of 1787, Mr. Hayne stated that Mr. Benton had disproved that fact; and added, that Mr. Dane was known only to the South as a member of the Hartford Convention. Mr. Hayne insisted that the doctrines now advanced by Mr. Webster, on the public lands, differed from those contained in his speech of 1825, from which Mr. Webster had read an extract the day before. He alleged that the support, which New England had given to the measures of internal improvement, as favorable to the West, had commenced in 1825, and was dictated by political calculations. In reply to Mr. Webster's commendation of the ordinance of 1787 for its prohibition of slavery, Mr. Hayne commented at length on that subject, condemning what he regarded as the spirit and tendency of Mr. Webster's commendation, and denying that slavery was a source of political weakness in a community. In reply to Mr. Webster's remarks on the prevalence of doctrines at the South unfriendly to the Union, Mr. Hayne charged upon Mr. Webster a desire to promote the consolidation of the Government; and declared that the two great parties of anti-federal and federal were those which, under different names, had always divided and still divided the people of this country. Mr. Hayne on this head observed, that the anti-federalists, who came into power in 1801, 'continued *till the close of Mr. Madison's administration in* 1817, to exercise the exclusive direction of public affairs.' Mr. Hayne then commented with severity on Mr. Webster's course in respect to the tariff. In

reference to the prevalence, in some quarters, of doctrines unfriendly to the Union, which had been referred to by Mr. Webster, Mr. Hayne stated that he considered such allusions as an unprovoked attack on the South, and particularly South Carolina, one of whose citizens, Dr. Cooper, was distinctly alluded to; and that he should consequently carry the war into the enemy's territory. This gave Mr. Hayne occasion, after asserting the patriotic conduct of South Carolina in the war of the revolution and of 1812, to endeavor to place in very disadvantageous contrast that of Massachusetts in the last war. In this part of his speech, Mr. Hayne made numerous quotations of documents, touching the proceedings of Massachusetts and the other Eastern States, against the war of 1812, ending with the Hartford Convention.

From this train of reflection, Mr. Hayne passed to the defence of the doctrine, that the several States of the Union, each in its sovereign capacity, have a constitutional right to protect themselves against unconstitutional acts of the General Government. Mr. Hayne, however, observed that as Mr. Webster had not examined this doctrine in detail, he should not, at present, do more than oppose to his authority that of the Virginia and Kentucky Resolutions of 1798 and 1799, and the Virginia Report of 1799: papers known or supposed to have proceeded from Mr. Jefferson and Mr. Madison. From these papers, Mr. Hayne made some extracts. He finally stated, that South Carolina had gone not a step farther than the statesmen of New England, and Mr. Webster himself had gone, in maintaining the right of opposing the embargo and other acts deemed by them unconstitutional. Mr. Hayne ended his speech in the following manner:

'Thus, it will be seen, Mr. President, that the South Carolina doctrine is the republican doctrine of '98; that it was promulgated by the fathers of the faith—that it was maintained by Virginia and Kentucky in the worst of times—that it constituted the very pivot on which the political revolution of that day turned—that it embraces the very principles, the triumph of which, at that time, saved the Constitution at its last gasp, and which New England statesmen were not unwilling to adopt, when they believed themselves to be the victims of unconstitutional legislation. Sir, as to the doctrine that the Federal Government is the exclusive judge of the extent as well as the limitations of its powers, it seems to me to be utterly subversive of the sovereignty

and independence of the States. It makes but little difference, in my estimation, whether Congress or the Supreme Court are invested with this power. If the Federal Government, in all or any of its departments, is to prescribe the limits of its own authority, and the States are bound to submit to the decision, and are not to be allowed to examine and decide for themselves, when the barriers of the Constitution shall be overleaped, this is practically a "government without limitation of powers." The States are at once reduced to mere petty corporations, and the people are entirely at your mercy. I have but one word more to add. In all the efforts that have been made by South Carolina, to resist the unconstitutional laws which Congress has extended over them, she has kept steadily in view the preservation of the Union, by the only means by which she believes it can be long preserved—a firm, manly, and steady resistance against usurpation. The measures of the Federal Government have, it is true, prostrated her interests, and will soon involve the whole South in irretrievable ruin. But even this evil, great as it is, is not the chief ground of our complaints. It is the principle involved in the contest, a principle, which, substituting the discretion of Congress for the limitations of the Constitution, brings the States and the people to the feet of the Federal Government, and leaves them nothing they can call their own. Sir, if the measures of the Federal Government were less oppressive, we should still strive against this usurpation. The South is acting on a principle she has always held sacred—resistance to unauthorised taxation. These, Sir, are the principles which induced the immortal Hampden to resist the payment of a tax of twenty shillings. Would twenty shillings have ruined his fortune? No! but the payment of half twenty shillings, on the principle on which it was demanded, would have made him a slave. Sir, if in acting on these high motives—if animated by that ardent love of liberty which has always been the most prominent trait in the Southern character—we should be hurried beyond the bounds of a cold and calculating prudence, who is there, with one noble and generous sentiment in his bosom, that would not be disposed, in the language of Burke, to exclaim, "You must pardon something to the spirit of liberty!" '

We should the more regret the imperfection of the foregoing sketch of Mr. Hayne's speech, did we not know, that the report of it, revised by himself, has gone into far wider circulation than that of our journal. Our object has been merely to present the connected succession of its topics. It may be proper to remark, that this speech, like that of Mr. Webster,

which followed it, was made in the presence of as crowded and intelligent an assembly, as was ever convened in the United States. The public attention was strongly excited, and the Senate-chamber thronged to overflowing. Mr. Hayne's remarks continued till the arrival of the usual hour of adjournment.

Mr. Webster commenced his reply on the following day. After repelling with severity the personal remarks contained in Mr. Hayne's exordium, Mr. Webster defended himself against the charge of an invidious allusion to slavery, and vindicated the course of the Eastern States generally in reference to that subject. In reply to the observation, that Mr. Dane was known to the South, only as a member of the Hartford Convention, he said, that the journal of that Convention, which *he* had never read, appeared to be now more studied in South Carolina than in New England. He denied that his views on the public lands, as expressed in his speech of 1825, differed from those which he had advanced at the commencement of the debate. He denied that the support of internal improvement, as favorable to the West, began in New England in 1825; and alleged, that when at the peace of 1815, he returned to Congress, he found the system of internal improvement becoming the favorite policy of the country at large, under the auspices of distinguished statesmen from South Carolina, whose lead he followed, though they appeared since to have abandoned the doctrine. He recurred to his views on the subject of consolidation, repeating that he had maintained 'the consolidation of the Union,' which had been recommended by General Washington and the convention which adopted the Constitution, not a consolidation of the Government. Mr. Webster next defended the course which he had pursued in reference to the tariff question; and then replied in general terms to that part of Mr. Hayne's speech, which was devoted to the conduct of the Eastern States during the war of 1812. Having disposed of this and the topics incident to it, the remainder of Mr. Webster's speech was taken up with what has been called the constitutional argument. He laid down the doctrines, which he proposed to contest, in the following terms:

'I understand the honorable gentleman from South Carolina to maintain, that it is a right of the State Legislatures to interfere, whenever, in their judgment, this Government transcends its constitutional limits, and to arrest the operation of its laws.

'I understand him to maintain this right, as a right existing *under* the Constitution; not as a right to overthrow it, on the ground of extreme necessity, such as would justify violent revolution.

'I understand him to maintain an authority on the part of the States thus to interfere, for the purpose of correcting the exercise of power by the General Government, of checking it, and of compelling it to conform to their opinion of the extent of its power.

'I understand him to maintain, that the ultimate power of judging of the constitutional extent of its own authority, is not lodged exclusively in the General Government, or any branch of it: but that, on the contrary, the States may lawfully decide for themselves, and each State for itself, whether, in a given case, the act of the General Government transcends its power.

'I understand him to insist, that if the exigency of the case, in the opinion of any State Government, require it, such State Government may, by its own sovereign authority, annul an act of the General Government, which it deems plainly and palpably unconstitutional.

'This is the sum of what I understand from him to be the South Carolina doctrine. I propose to consider it, and to compare it with the Constitution.'

Mr. Hayne having explained, that the doctrine which he asserted was no other than that of the Virginia Resolutions of 1798, which he cited, Mr. Webster replied,

'I am quite aware, Mr. President, of the existence of the resolution which the gentleman read, and has now repeated, and that he relies on it as his authority. I know the source, too, from which it is understood to have proceeded. I need not say, that I have much respect for the constitutional opinions of Mr. Madison; they would weigh greatly with me, always. But, before the authority of his opinion be vouched for the gentleman's proposition, it will be proper to consider what is the fair interpretation of that resolution, to which Mr. Madison is understood to have given his sanction. As the gentleman construes it, it is an authority for him. Possibly, he may not have adopted the right construction. That resolution declares, *that in the case of the dangerous exercise of powers not granted by the General Government, the States may interpose to arrest the progress of the evil.* But how interpose, and what does this declaration purport? Does it mean no more, than that there may be extreme cases, in which the people, in any mode of assembling, may resist usurpation, and relieve themselves from a tyrannical government? No

one will deny this. Such resistance is not only acknowledged to be just in America, but in England also. Blackstone admits as much in the theory and practice too, of the English constitution. We, Sir, who oppose the Carolina doctrine, do not deny, that the people may, if they choose, throw off any government, when it becomes oppressive and intolerable, and erect a better in its stead. We all know, that civil institutions are established for the public benefit, and that when they cease to answer the ends of their existence, they may be changed. But I do not understand the doctrine now contended for, to be that which, for the sake of distinctness, we may call the right of revolution. I understand the gentleman to maintain, that without revolution, without civil commotion, without rebellion, a remedy for supposed abuse and transgression of the powers of the General Government, lies in a direct appeal to the interference of the State Governments.

'(Mr. Hayne here rose: He did not contend, he said, for the mere right of revolution, but for the right of constitutional resistance. What he maintained was, that in case of a plain, palpable violation of the Constitution by the General Government, a State may interpose; and that this interposition is constitutional.) Mr. Webster resumed: So, Sir, I understood the gentleman, and am happy to find that I did not misunderstand him. What he contends for is, that it is constitutional to interrupt the administration of the Constitution itself, in the hands of those who are chosen and sworn to administer it, by the direct interference, in form of law, of the States, in virtue of their sovereign capacity.'

Mr. Webster, after these explanations, proceeded to argue the main question. He laid it down, that the Federal Constitution was the creature not of the State Legislatures, but of the people of the United States. If each State were competent to decide the constitutionality of acts of the General Government, different States would decide the same question in different ways, as they had done the question of the tariff, in connexion with which the present doctrines are mainly broached. He referred to the conduct of New England, in reference to the embargo, which was thought unconstitutional by the majority of the people of that part of the country, but submitted to after judicial decision. He inquired whence the States acquired the right which they are alleged to possess; and denied that they possessed it. He maintained that the supreme court of the United States was the tribunal provided by the people of

the United States, for settling questions of the constitutionality of laws; and he denied the power of the individual States to decide these questions. He carried out into its practical consequences an attempt to execute a law of a State, nullifying a law of the United States, and showed that those consequences were treason and civil war; and dwelt, in a brilliant peroration, on the blessings of the Union. The usual hour of the adjournment of the Senate had arrived, when Mr. Webster closed his speech. Mr. Hayne, however, spoke for near an hour in reply, and has since given his speech in a more expanded form. Mr. Webster followed in a brief rejoinder.

Here the debate, as between these two gentlemen, terminated. It is well known, that the discussion was continued for several weeks, and that a large proportion of the members of the Senate took part in it. In its progress, almost every topic of great political interest was brought within its range. The several subjects already mentioned were further discussed, and numerous others were introduced. Many of the speeches were distinguished for learning, ingenuity, and power. To some of them we may perhaps have occasion to refer in the course of our remarks. But it would be manifestly impossible, as it would be aside from our purpose, to pursue the analysis of the debate.

It is scarcely necessary to remark, that, in the progress of the debate, the resolution was effectually lost sight of. At its close it was laid on the table. Since the termination of the session of Congress, a public festival has been held in Charleston, in honor of Messrs. Drayton and Hayne. On this occasion, connecting itself closely with the subject of the debate under consideration, the gentlemen just named addressed the company on the interesting topics in controversy, on which we propose to make some remarks. As the report of these addresses bears evident marks of having received the sanction of their authors, we shall not think it indelicate to allude to them in the residue of this article.

A great excitement has for some time prevailed in a portion of the Southern States of the Union. Several acts of the General Government are the alleged causes of this excitement. Some of these acts are considered as imposing heavy burdens on the Southern States, particularly the tariff laws; others are objects of alarm, as menacing the security of the property held in slaves; and others are condemned as subversive in a general

way of the political system established by the Constitution of the United States, particularly the laws, by which appropriations are made for executing various works of internal improvement. We particularise these three grievances, as being those, which we believe to be considered the most prominent. They are those, which have been specified in several public acts at the South, particularly in a series of resolutions adopted by the Senate and House of Representatives of South Carolina in December, 1827, and presented to the Senate of the United States at the first session of the twentieth Congress. In the following year, a very elaborate Report was made by a special committee of the House of Representatives of South Carolina, accompanied by a protest against the tariff, which was adopted by both branches of the Legislature of that State, and presented by the Senators of South Carolina to the Senate of the United States. This protest has been publicly ascribed to the distinguished statesman, who now fills the office of Vice-President. This last document, after stating the reasons, for which the system of protecting duties is declared to be unconstitutional and oppressive, concludes as follows:

'Deeply impressed with these considerations, the Representatives of the good people of this Commonwealth, anxiously desiring to live in peace with their fellow-citizens, and to do all that in them lies to preserve and perpetuate the Union of the States and the liberties of which it is the surest pledge, but feeling it to be their bounden duty to expose and resist all encroachments upon the true spirit of the Constitution, lest an apparent acquiescence in the system of protecting duties should be drawn into precedent, do, in the name of the Commonwealth of South Carolina, claim to enter upon the Journals of the Senate, their protest against it as unconstitutional, oppressive, and unjust.'

This protest is supposed to express the opinions of a large majority of the people of several of the Southern States,—by whom the system of protecting duties is considered unconstitutional and oppressive.

We believe it may without injustice be stated, that the excitement existing on this subject, is considerably greater in South Carolina, than elsewhere. In that State and in reference to the present grievances, the doctrine has been avowed by numerous individuals collected at public meetings; by respectable citizens on various occasions; and particularly by members of Congress from that State in their places on the

floor, that the several States of this Union possess a constitutional right, when laws unconstitutional and oppressive are passed by Congress, of interposing to arrest the evil. It has been intimated and asserted, that it is the right and duty of the Southern States to interpose in this way on this occasion; and the strongest assurances and menaces have been held out that South Carolina will do it.

We take up this subject with earnestness and in good faith. The discontent exists in a quarter, which we admit to be, in the highest degree respectable. It is encouraged by men of high character and distinguished talent. The burdens complained of are unquestionably believed to exist. The remedy suggested is supported by grave argument, and we shall gravely meet it. We shall say nothing in unkindness, nothing in levity, nothing in anger; although something in sorrow; but every thing in the spirit of union and fraternal feeling. The subject demands and would well admit an ample volume, but we have but a few pages left, and must compress our remarks into some desultory paragraphs.

It is alleged then, that the Southern States, and more especially South Carolina, being much aggrieved by unconstitutional laws of the Federal Government, have a right to interpose and nullify the said laws, and particularly those laws by which duties are laid on imports for the protection of manufactures.

It will readily occur, that the claim of a right of nullifying a law of the United States is somewhat vague and indeterminate in its acceptation. We do not know precisely, what is intended by it; and yet we must fix an idea of what it is, before we can reason for or against it. Mr. Hayne, in his speech at what is called the State Rights' dinner, given at Charleston on the 3d of July, says, 'The mode, in which these principles are to be brought into operation, when a case shall arise to justify their application, is a question concerning which there may exist much difference of opinion, and which it appears to me of no importance to decide.' In his speech 'on the Prohibitory System,' at the last session of Congress, Mr. Mc Duffie said, 'It is not for me to say in this place, what course South Carolina may deem it her duty to pursue in this great emergency. It is enough to say, that she perfectly understands the ground which she occupies, and be assured, Sir, that whatever attitude she may assume in her highest sovereign capacity, she will firmly and fearlessly maintain it, be the consequences what

they may.' And farther on, 'But, Sir, in a case of extreme injustice and oppression, I will not stop to moot points of constitutional construction. I place the right and the obligation of a sovereign State to interpose the shield of its sovereignty between its citizens and oppression on much higher ground.'

It might at first blush be supposed, that Mr. McDuffie was here contending for the great and original right of revolution, a natural right of social man. But as nobody contests this right, and as Mr. Mc Duffie is not wasting his breath in asserting what nobody denies, we must suppose, that he, like Mr. Hayne, refers to some constitutional right, possessed by the State Governments, to protect the citizens of the States against unconstitutional laws of the General Government. But it is plain, that till we know precisely what this alleged constitutional right is, the discussion of it is idle.

Is it a mere right of *protest?* The Legislature of South Carolina, as well as of some other States, has formally protested against the obnoxious laws. Now we think a strong argument could be made against the constitutional right of the legislative branch of a State Government to remonstrate against a law of the General Government. Generally speaking, the constitutional right of remonstrance vests in the constituents or the subjects of a Government. Although the State Legislatures, in 1787—1789, had an agency in the formation of the Federal Government; and at subsequent periods have had, and have an agency, in creating both branches of the legislature and the executive, yet the State Legislatures, as such, are in no sense the constituents or the subjects of the General Government. The State Governments have been and are delegated to perform some acts touching the General Government. But they are not known to the Constitution, in any degree, as the regular depositaries of the constituent power. It may therefore be doubted, as we have observed, whether the State Governments have a constitutional right to remonstrate against acts of a Government, of which they are neither subjects nor constituents. The mere circumstance, that it is very convenient for the State Legislature to proceed on these subjects, by way of resolution, proves nothing. The stronger fact, that the State Legislatures are very apt to form themselves into a grand inquest of the Commonwealth, and express opinions touching the public weal, also proves nothing. Congress also acts by resolution with great convenience, and Congress is the grand inquest of the nation.

But if Congress were to pass resolutions, touching the laws of Virginia, relative to the liability of real estate as security for debt, they would soon be told, that the said laws were constitutionally enacted by the Government of Virginia, which Government was not responsible to Congress.

For these and other reasons, we think the constitutional right of protest on the part of the State Governments questionable. We apprehend inconvenience from the presentation of these protests to Congress. Still, however, if the South Carolina doctrine, (we call it so not invidiously, but for convenience,) went no further than to assert the right of the State Legislatures *to protest* against the acts of the General Government, we should not think it a very serious matter; nor employ our time on this occasion in discussing it.

We cannot suppose it necessary, ourselves, to protest against being thought to encroach on the sacred right *possessed by the people*, to address the Government, either of the State or of the Union. 'The right of the people peaceably to assemble, and to petition the Government for a redress of grievances,' is one of the express guaranties of the Constitution; and were it not stipulated by the Constitution, it would be not the less a right. It is one of those rights, which could not be abandoned by any man, not even for himself. If he promised to-day not to petition against a grievance, he would have a right to petition tomorrow to be released from that promise.

Nor shall we now argue against the various modes in which it has been proposed by individuals, sometimes without responsibility and in a tumultuary manner, that South Carolina should exercise her right of interposition; such as a formal secession from the Union; or the declaration that Charleston shall be a free port. We suppose that no one will contend, that either of these acts would be *constitutional*. They are different modes, by which South Carolina, in an extreme case, would exercise the right of revolution. Supposing either to be done and South Carolina erected into an independent sovereignty, the city of Charleston, if driven by the rest of the State to extremity, would have the same right to constitute itself a separate Commonwealth—a new sovereignty;—and when this had taken place, every citizen and every slave in the city, would have a right, at his peril, if he chose, to make war on the rest of the people, to constitute himself an independent sovereign. But these rights are all natural, not constitutional· and they are

rights, which Constitutions can as little recognise, as they can invalidate. They cannot be taken away, for they belong to our nature. They cannot be recognised by a Constitution, for they dissolve the social compact.

We should be disposed to reason much in the same way on the proposition, that the States, being the parties to the compact, must judge, each for itself, when it is infringed. If by this be meant, that the State Legislatures may express judgments on this subject, it is the case just considered. If it be meant, that the people of each State must judge for themselves, when their rights, as such, are invaded, we do not know that we should contest it. It has been said, by a writer, whom we shall quote more particularly in the sequel, (Mr. Mc Duffie,) that 'the States as political bodies have no original inherent rights.'* We will not now discuss that proposition, although it is very ingeniously stated, and connects itself, we think, with sound views of general politics. But it may, we think, be safely said, that the people of the several States, as such, have very few rights so peculiar, that they alone are the competent judges of their infraction. What right, for instance, has South Carolina, so peculiar, that she alone can judge as a people, whether it is invaded? Still, if the people of South Carolina, as such, have any peculiar rights, we admit, that they alone can judge for themselves of their infraction. But to what does such a proposition amount? Every man, and every body of men, that judges at all, must judge for himself or themselves. Nobody *can* do it for them; it is an act of the judging capacity. A man may follow another's judgment; that is, he may himself judge, that on any subject his friend's opinion is sound. If the doctrine in question, then, mean only that the people of a State can alone form a correct opinion, whether rights peculiar to themselves have been invaded, it is a sound, but exceedingly inconsequential proposition.

But South Carolina is not raising her voice for these metaphysical subtleties. She claims a substantial power, a right *to do* something; but what it is, may not perhaps be matter of agreement among those who agree in the claim.

The following extracts, however, will probably be consid-

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* National and State Rights Considered, by 'One of the People,' in reply to 'The Trio.' Charleston. 1821.

ered as stating, in the most authentic form, precisely what the nullification doctrine is. Mr. Hayne, in his second speech, says,

'But what then? asks the gentleman. A State is brought into collision with the United States, in reference to the exercise of unconstitutional powers; who is to decide between them? Sir, it is the common case of difference of opinion between sovereigns, as to the true construction of a compact. Does such a difference of opinion necessarily produce war? No. And if not among rival nations, why should it do so among friendly States? In all such cases, some mode must be devised by mutual agreement, for settling the difficulty; and most happily for us, that mode is clearly indicated in the Constitution itself, and results indeed from the very form and structure of the Government. The creating power is three fourths of the States. By their decision, the parties to the compact have agreed to be bound, even to the extent of changing the entire form of the Government itself; and it follows of necessity, that in a case of deliberate and settled difference of opinion between the parties to the compact as to the extent of the powers of either, resort must be had to their common superior, (that power which may give any character to the Constitution they may think proper,*) viz. three fourths of the States. * * * *

'But it has been asked, why not compel a State, objecting to the constitutionality of a law, to appeal to her sister States, by a proposition to amend the Constitution? I answer, because such a course would, in the first instance, admit the exercise of an unconstitutional authority, which the States are not bound to submit to, even for a day; and because it would be absurd to suppose, that any redress would ever be obtained, by such an appeal, even if a State were at liberty to make it. If a majority of both houses of Congress should, from any motive, be induced deliberately to exercise "powers not granted," what prospect would there be of "arresting the progress of the evil," by a vote of three fourths? But the Constitution does not permit a minority

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* We cannot refrain from expressing the opinion, that the doctrine here advanced, as to the extent of the amending power, is wholly unsound; and in its consequences, it is surely open to all the objections urged by Mr. Hayne against the competency of the Supreme Court of the United States, to settle constitutional questions. Suppose three quarters of the twenty-four States should agree in an amendment of the Constitution, limiting the six smallest States of the Union to one Senator each. Would such an amendment be binding? We apprehend no more so, than an amendment made in defiance of the express reservations of the Constitution.

to submit to the people a proposition for an amendment of the Constitution. Such a proposition can only come from two thirds of the two Houses of Congress, or the Legislatures of two thirds of the States. It will be seen, therefore, at once, that a minority, whose constitutional rights are violated, can have no redress by an amendment of the Constitution. When any State is brought into direct collision with the Federal Government, in the case of an attempt by the latter to exercise unconstitutional powers, *the appeal must be made by Congress*, (the party proposing to exert the disputed power,) *in order to have it expressly conferred, and until so conferred, the exercise of such authority must be suspended.*'

The following is the manner in which the doctrine is stated by Colonel Drayton, in his speech at the Charleston dinner:

'Our citizens, suffering under an act, which a great majority of them believe to be unconstitutional, have naturally been led to deliberate on the steps which ought to be taken, under circumstances so critical and momentous. Of the expedients proposed, that which seems most generally to be relied upon, is, through the medium of the Legislature, or of a convention chosen by the people, to nullify the obnoxious law, or in other words, to declare it unconstitutional; and to absolve our citizens from obedience to it, unless a contrary decision should be pronounced by three fourths of the Legislatures of the several States, or by a convention of the people in the same number of States.'

Supposing this to be the definition of the nullifying power, we will first observe, that it wholly fails of the support of the Virginia and Kentucky Resolutions. Those Resolutions, ascribed respectively to Mr. Madison and to Mr. Jefferson, have occupied the front rank in the authorities quoted in favor of the nullifying doctrine. Mr. Hayne, in his first speech, in reply to Mr. Webster, confines himself to this authority; and in his second speech, it is the most prominent topic of argument. Mr. Mc Duffie, in his few observations on the subject, in the speech above cited, appeals to no other authority; and generally speaking, the greatest pains are taken, and the strongest desire evinced, to identify the South Carolina doctrine of 1828, with the Virginia doctrine of 1798.

We repeat, then, that if the South Carolina doctrine be what Mr. Hayne and Colonel Drayton define it, viz. the right of a State to suspend the operation of a law of the General Government, till Congress has procured an amendment of the Constitution,

granting the power to enact such a law, the Resolutions of Virginia and Kentucky give no authority to such a doctrine.*

The Virginia Resolutions were occasioned by the Alien and Sedition Laws; and the second of them is expressed in the following terms:

'That this assembly doth explicitly and peremptorily declare, that it views the powers of the Federal Government as resulting from the compact, to which the States are parties; as limited by the plain sense and intention of the instrument constituting that compact; as no farther valid, than they are authorized by the grants enumerated in that compact; and that in case of a deliberate, palpable, and dangerous exercise of other powers, not granted by the said compact, the States who are parties thereto have a right, and are in duty bound, to interpose for arresting the progress of the evil: and for maintaining, within their respective limits, the authorities, rights, and liberties appertaining to them.'

This is the authority of the Virginia Resolutions. It goes only to a right of the States, (not, it will be observed, the State Legislatures,) *to interpose to arrest the evil.* This then settles nothing, as to the mode of interposition; and it is very clear, that if it is a constitutional right, it must be exercised in a constitutional mode; and till the contrary be shown, we are bound to suppose that the Virginia Resolution contemplated nothing but constitutional modes of resistance. This is not left to inference. The *seventh* resolution is in the following words:

'That the good people of this Commonwealth, having ever felt and continuing to feel the most sincere affection to their brethren of the other States, the truest anxiety for establishing and perpetuating the union of all, and the most scrupulous fidelity to that Constitution, which is the pledge of mutual friendship and the instrument of mutual happiness, the General Assembly doth solemnly appeal to the like dispositions of other States, in confidence that they will concur with this Commonwealth, in declaring, as it does hereby declare, that the acts aforesaid are unconstitutional, and that the necessary and proper measures will be taken by each, for co-operating with this State in maintaining unimpaired

* We are prevented by want of space from remarking on the extreme inadequateness of the remedy proposed for a case, in which a sovereign State is oppressed by the General Government, viz. that whenever three quarters of the States conspire, the States in the minority must submit. This remedy appears to us open to all the objections made to the ordinary construction of the Constitution.

the authorities, rights, and liberties reserved to the States respectively and the people.'

Here the States are exhorted to concur with Virginia, in declaring the laws unconstitutional. That of itself is no more than a protest, and though in our view of the subject open to exception, a measure, as we have said, not worth contesting. But then the States were also called on by Virginia, to adopt, each of them, 'the necessary and proper measures' for remedying the evil of these laws; and before the Virginia Resolutions can be appealed to, as authority for the South Carolina doctrines, it must be shown, or rendered probable, that among 'these necessary and proper measures' was that of refusing obedience to the law, till two thirds of the States had sanctioned it by an amendment of the Constitution. Is there a shadow of proof or presumption, that this was the fact? On the contrary, there is the strongest proof against it. These resolutions were communicated to the several States, and by many of them resolutions were passed, expressing dissent from the doctrines contained in them. In no one of these resolutions, is there any hint, that such was the purport of the Virginia doctrine; although it would have been natural for the States opposed to Virginia, highly dissatisfied as they were with her course, to represent it in a light as obnoxious as they could, with truth. But the proof does not stop here. In the session of the Virginia Assembly, following that when the resolves were passed, the responsive resolutions of the other States were referred to a committee, and from this committee Mr. Madison made his famous Report, reaffirming the principles of the resolutions of 1798. Toward the close of this Report, he is led to inquire into the objections to the seventh resolution, and on this subject he speaks as follows:

'It is lastly to be seen, whether the confidence expressed by the resolution, that the *necessary and proper measures* would be taken by the other States, for co-operating with Virginia in maintaining the rights reserved to the States, or to the people, be in any degree liable to the objections which have been raised against it.

'If it be liable to objection, it must be because either the object or the means are objectionable.

'The object being to maintain what the Constitution has ordained, is in itself a laudable object.

'The means are expressed in the terms "the necessary and

proper measures." A proper object was to be pursued, by means both necessary and proper.

'To find an objection, then, it must be shown that some meaning was annexed to these general terms, which was not proper; and, for this purpose, either that the means used by the General Assembly were an example of improper means, or that there were no proper means to which the terms could refer.

'In the example given by the State, of declaring the alien and sedition acts to be unconstitutional, and of communicating the declaration to the other States, no trace of improper means has appeared. And if the other States had concurred in making a like declaration, supported too by the numerous applications flowing immediately from the people, it can scarcely be doubted, that these simple means would have been as sufficient, as they are unexceptionable.

'It is no less certain, that other means might have been employed, which are strictly within the limits of the Constitution. The Legislatures of the States might have made a direct representation to Congress, with a view to obtain a rescinding of the two offensive acts; or, they might have represented to their respective Senators in Congress, their wish, that two thirds thereof would propose an explanatory amendment to the Constitution; or two thirds of themselves, if such had been their option, might, by an application to Congress, have obtained a convention for the same object.

'These several means, though not equally eligible in themselves, nor probably, to the States, were all constitutionally open for consideration. And if the General Assembly, after declaring the two acts to be unconstitutional, the first and most obvious proceeding on the subject, did not undertake to point out to the other States, a choice among the farther measures that might become necessary and proper, the reserve will not be misconstrued by liberal minds into any culpable imputation.'

Here we see what sort of *means* were contemplated. They were, first, *declarations* that the laws were unconstitutional; secondly, *direct representations* from the Legislatures of the States to Congress, to obtain the repeal of the laws; thirdly, *requests to their Senators* in Congress to propose an amendment of the Constitution; fourthly, a concurrence of two thirds of the States to apply to Congress for a convention to amend the Constitution. These are all the measures which Mr. Madison suggests, and he introduces them by saying, that they are all 'within the limits of the Constitution.'

But there are one or two other interesting facts, connected

with these resolutions. Great industry has been exerted to connect the terms *nullifying* and *nullification* with the Virginia Resolutions. Mr. Mc Duffie, in his speech above referred to, after quoting the Kentucky Resolution of 1799, 'a resolution drawn up (he says) by the hand of Thomas Jefferson,'—which we shall presently make probable not to be the fact,—in which resolution, 'nullification by the sovereign States is declared to be the rightful remedy for unauthorized acts of the General Government,' adds, 'the celebrated resolutions of Virginia maintain the same doctrine, in language equally explicit.' We have seen how far short the Virginia Resolutions come of this. But the case is very strong the other way. As those resolutions were originally drafted, the seventh of them set forth, that the Alien and Sedition Acts 'are unconstitutional, *and not law, but utterly NULL, void, and of no effect.*' The words in italics were, on motion of Mr. Taylor, of Caroline, who introduced the resolutions, stricken out, and as appears from the contemporaneous report, without a division.* So far, then, are these resolutions from sanctioning, in explicit language, the doctrine of *nullification*, that, in the only case where the word *null* appeared in them, it was stricken out, by general consent.

We will mention another amendment, which was made in these resolutions on their passage. The third resolution, as reported, ran, 'that this assembly doth explicitly and peremptorily declare, that it views the powers of the Federal Government as resulting from the compact, to which the States *alone* are parties.' This word *alone* was struck out, on the suggestion of Mr. Giles. It had been said, that the *people only* were parties to the compact; and the resolutions declared that the States alone were parties. Mr. Giles said, 'the General Government was partly of each kind;' and on this ground the word *alone* was stricken out.

If the people of the United States are in any degree parties to the compact, it will go very hard with the doctrine of nullification, which rests on the unsound theory, that the States are the only parties; and that the Union is a mere confederacy.

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* Debates in the House of Delegates of Virginia, upon certain Resolutions before the House upon the important subject of the Acts of Congress passed at their last session, commonly called the Alien and Sedition Laws. Richmond. Printed by Thomas Nicolson. 1798. pp. 171, 172.

Mr. Hayne even compares the Constitution to a treaty between friendly sovereigns.

We will say another word of the Virginia Resolutions. We believe they contemplated and inculcate none but constitutional means, and intended to effect nothing but the repeal of the obnoxious laws, in the ordinary course of legislation, or by an amendment of the Constitution. Like the report of 1799 in defence of them, they are couched in temperate language, and breathe nothing but attachment to the Union. At the same time, it must be remembered, that they were the product of heated times. The country was then about equally divided into two parties, already excited, and daily becoming more inflamed in the contest. These resolutions emanated from the distinguished statesmen who led the republican party, then out of office; and who filled its two highest posts, on the change in the administration, which shortly ensued. We appeal,—not to heated partisans, but to candid men of all sides,—whether it is to such a period, and to such movements, that a wise politician would look for the most settled opinions, even of the men who directed those movements. At the same time, we must repeat, that the Virginia Resolutions and Report are written with a coolness and temper truly astonishing, when the time and circumstances are considered,—and worthy, in this respect, of being followed more closely as a precedent, than they have been in South Carolina, by the politicians who think they find a warrant for their doctrines in these resolutions.

These resolutions passed by a vote of one hundred to sixty-three, in the Virginia Assembly; a majority far from overwhelming, on such a question. Among those opposed to them, in the community at large, were some of the brightest names in the catalogue of the friends of State rights. We recommend to the consideration of our readers, and especially of our Southern readers, the following extract from a most valuable pamphlet, the production of a citizen of South Carolina, who does honor to his native State and his country.*

'Patrick Henry, in his last speech against the Constitution, had said, in 1788, (Wirt's Life, p. 297,) "If I shall be in the minority, I shall have those painful sensations, which arise from

* Speech of Thomas S. Grimké, delivered in December, 1828, on the Constitutionality of the Tariff, and the true nature of State Sovereignty. p. 6.

the conviction of being overpowered in a good cause. Yet I will be a peaceable citizen. My head, my hand, and my heart shall be free to retrieve the loss of liberty, and remove the defects of that system, in a *constitutional way*. I wish not to go to violence; but will wait with hopes, that the spirit, which predominated in the Revolution is not yet gone, nor the cause of those who are attached to the Revolution yet lost. I shall, therefore, patiently wait, in expectation of seeing that government changed, so as to be compatible with the safety, liberty, and happiness of the people."

'What Patrick Henry meant by this "constitutional way," is explained in his speech to the people, at the election in 1798; for, although he was then nearly sixty-three, he offered himself as a candidate for the House of Delegates; because he believed the sentiments and conduct of his own Virginia, in relation to the Alien and Sedition Laws, to be unconstitutional, and dangerous. He said to the people,

'"That the late proceedings of the Virginia Assembly had filled him with apprehensions and alarm; that they had planted thorns upon his pillow; that they had drawn him from that happy retirement, which it had pleased a bountiful Providence to bestow, and in which he had hoped to pass, in quiet, the remainder of his days; that the State had quitted the sphere in which she had been placed by the Constitution; and in daring to pronounce upon the validity of federal laws, had gone out of her jurisdiction in a manner not warranted by any authority, and in the highest degree alarming to every considerate man; that such opposition, on the part of Virginia, to the acts of the General Government, *must* beget their enforcement by military power; that this would probably produce civil war; civil war, foreign alliances; and that foreign alliances must necessarily end in subjugation to the powers called in." Mr. Henry, proceeding in his address to the people, asked, "whether the county of Charlotte would have any authority to dispute an obedience to the laws of Virginia; and he pronounced Virginia to be to the Union, what the county of Charlotte was to *her*. Having denied the right of a State to decide upon the constitutionality of federal laws, he added, that perhaps it might be necessary to say something of the merits of the laws in question. His private opinion was, that they were "*good* and *proper*." But, whatever might be their merits, it belonged to the *people*, who held the reins over the head of Congress, *and to them alone*, to say whether they were acceptable or otherwise to Virginians; *and that this must be done by way of petition*. That Congress were as much our representatives as the Assembly, and had as good a right to our confidence. He

had seen with regret the unlimited power over the purse and sword consigned to the General Government; but he had been overruled, and it was now necessary to submit to the constitutional exercise of that power. If, said he, I am asked what is to be done when a people feel themselves intolerably oppressed, my answer is ready:—*Overturn the Government.* But do not, I beseech you, carry matters to this length, without provocation. Wait at least until *some* infringement is made upon your rights, and which cannot otherwise be redressed; for if ever you recur to another change, you may bid adieu forever to representative Government. You can never exchange the present Government, but for a monarchy."—*Wirt's Life of Henry.* pp. 393—395.'

When the resolutions of Virginia were communicated to the other States, they were disapproved in counter-resolutions, by Delaware, Rhode-Island, Massachusetts, New-York, Connecticut, New-Hampshire, and Vermont. We mention these States, as being those whose counter-resolutions are appended to the Virginia Report of 1799. That other States not enumerated did not approve them, we take for granted. That any State responded to them, besides Kentucky, does not appear from any document within our reach. We believe no State but Kentucky concurred. It is stated particularly by Mr. Grimké, in his Speech above cited, page 4, that 'South Carolina took no part in the sentiments and conduct of Virginia in 1798, in reference to the Alien and Sedition Laws.'

It also deserves grave reflection, that whatever sanction the authority of Messrs. Jefferson and Madison might give to the South Carolina doctrine in theory, they give it none in its application. The Virginia Resolutions limit the right of a State to interpose, to cases of deliberate, palpable, and dangerous violations of the Constitution. The all-important question will then recur, is South Carolina now interposing in the case of *such* a violation of the Constitution? And in answer to this question, we find both Mr. Jefferson and Mr. Madison, not only not regarding the tariff laws as unconstitutional, but recommending them, in their highest official acts, from the year 1789 down. It is true that Mr. Jefferson, at a late period of his life, expressed opinions, that deliberate, palpable, and dangerous violations of the Constitution had lately been committed; but the tariff laws were not the acts to which he more particularly referred. In his letter to Mr. Giles, of December 26,

1825, quoted by Mr. Hayne, there is a reference to the tariff laws 'as an indefinite assumption of power over agriculture and commerce,' but in the protest proposed about the same time, for the Legislature of Virginia, in 1825, we perceive no distinct allusion to the tariff. Mr. Hayne observes, that in that protest Mr. Jefferson declares 'the powers exercised by the General Government, in reference to the tariff and internal improvements, to be usurpations of the powers retained by the States, mere interpolations into the compact, direct infractions of it.' Upon looking into that paper, however, we find no certain allusion to the tariff. Internal improvement is the great specified grievance. At all events, we think, no judicious friend of Mr. Jefferson's memory could wish to make it appear, that in 1825, he maintained the tariff laws to be a violation of the constitution. Between such a sentiment and those contained in nearly all his messages and in his letters to Mr. Austin and Leiper, there is too wide a discrepancy, we think, to be reconciled to an honest diversity of opinion, on the same subject, contemplated at different times, under a change of circumstances. As to the Colonization Society, the project which more than any other appears to awaken the sensibilities of the South, Mr. Jefferson was warmly in favor of it, and in reply to the constitutional scruple held, 'that a *liberal* CONSTRUCTION justified by the object would go far, and an amendment to the Constitution, the whole length necessary,' and he leaves the subject '*with his admonition to rise and be doing.*' This is not the language of a man, who thought that the patronage of this society by the general government was a deliberate, palpable, and dangerous violation of the compact.

We will now revert to the Kentucky resolutions of 1798, which are admitted to have been drafted by Mr. Jefferson. In these resolutions, it is stated, that acts of Congress, made in virtue of powers not delegated, are 'unauthoritative, void, and of no force; that to this compact, [the Federal Constitution,] each State acceded as a State, and is an integral party; that the government created by this compact, was not made the exclusive or final *judge* of the extent of the powers delegated to itself; since that would have made its discretion and not the Constitution the measure of its powers; but that, as in all other cases of compact among parties having no common judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress.'

This falls very far short of an 'explicit' avowal of any right of extra constitutional resistance. It authorises in no degree, the assertion, that the measures of redress contemplated by the Kentucky resolutions, went beyond 'the limits of the Constitution,' which Mr. Madison, in his report, declared to be the boundary of those contemplated in *his* resolution of 1798, viz. measures of protest, instruction to Senators, and amendment of the Constitution. It must be remembered, that those opposed to the Virginia and Kentucky resolutions denied the right of the State Legislatures to pass them. This ground was taken by Patrick Henry, as we have seen, in the passage cited from his speech above. To meet such an opinion, the Kentucky resolutions declare it to be the right of the States to select their means of redress; and Mr. Madison, in his report, argues, that before the resolutions can be objected to, it must be shown that the means of redress contemplated, were not within the limits of the Constitution; and then enumerates those we have just mentioned. Farther than this, the Kentucky resolutions of 1798 do not go, and that we do not overstate this matter, will abundantly appear, from the following extract from the able and instructive speech of Mr. Johnston, of Louisiana, on the resolution of Mr. Foot, p. 36.

'I hold in my hand a letter from George Nicholas, of Kentucky, in November, 1798. He was a conspicuous member of the Virginia Convention—an able lawyer and statesman—a distinguished Republican, and a leading and influential man, in the day of the Kentucky resolutions. I read from this letter, to show the views entertained then of the remedy against unconstitutional laws. "If you had been better acquainted with the citizens of Kentucky, you would have known, that there was no just cause to apprehend an improper opposition to the laws from them. The laws we complain of may be divided into two classes, those which we admit to be constitutional, but consider as impolitic, and those which we believe to be unconstitutional, and therefore do not trouble ourselves to inquire as to their policy, because we consider them as absolute nullities. The first class of laws having received the sanction of a majority of the representatives of the people of the States, we consider as binding on us, however we differ in opinion from those who passed them as to their policy; and although we will exercise our undoubted right of remonstrating against such laws, and demanding their repeal as far as our numbers will justify us in making such a demand; we will obey them with promptitude, and to the extreme of our abilities, so long as they continue in force. As to the second class

or the unconstitutional laws, although we consider them as dead letters, and therefore that we might legally use force in opposition to any attempts to execute them; yet, we contemplate no means of opposition, even to those unconstitutional acts, but an appeal to the *real laws* of our country. As long as our excellent Constitution shall be considered as sacred, by any department of our Government, the liberties of our country are safe, and every attempt to violate them may be defeated by means of law, without force or tumult of any kind."'

Thus much for the Kentucky resolutions of 1798. In 1799, it was deemed necessary to revive the subject and reply to those States, which had denied the doctrines of the preceding year; for no State as we have intimated in the Union had acceded to them. Accordingly, on the 14th of November, 1799, a new resolution was passed, in which it is said, that 'the several States, who formed that instrument, (the Constitution of the United States,) being sovereign and independent, have the unquestionable right to judge of its infraction, and, *that a nullification, by those sovereignties, of all unauthorised acts, done under color of that instrument, is the rightful remedy.*'

From this sentence is derived the appellation, which is given to the South Carolina doctrine; and on this sentence rests the claim of the sanction given by the resolutions of Messrs. Madison and Jefferson to that doctrine by that name.

To give assurance to this sanction, the Kentucky resolutions of 1799 are ascribed to Mr. Jefferson. Mr. Hayne, in his speech at the Charleston dinner, says that 'they are generally attributed to Mr. Jefferson;' Mr. Mc Duffie says, 'they were penned by his hand;' and the editor of the Banner of the Constitution, in republishing them, in his paper of 10th April last, together with the Virginia resolutions, gives them jointly the title of 'the Resolutions of Virginia and Kentucky, penned by Madison and Jefferson.' What it is of importance to state thus repeatedly and confidently, it is of importance to state correctly. We do not say that this Kentucky resolution of 1799, (for there is but one of that year,) certainly was not written by Mr. Jefferson; but we say there is a strong probability that it was not. It passed the House of Representatives of Kentucky on the 14th November, 1799. We have a letter of Mr. Jefferson, of the 5th of September, preceding, to Wilson Cary Nicholas, from which we make the following extracts.

'I had written to Mr. Madison, as I had before informed you, and had stated to him some general ideas for consideration and consultation, when we should meet. I thought something essentially necessary to be said, in order to avoid the inference of acquiescence;* that a resolution or declaration should be passed, answering the reasons of such of the States, as had ventured into the field of reason; taking some notice too of those States, who have either not answered at all, or answered without reasoning. 2d. Making firm protestation against the precedent and principle, and *reserving* the right to make this palpable violation of the Federal compact the ground of doing in future, whatever we might now rightfully do, should repetitions of these and other violations of the compact render it expedient. 3d. Expressing, in affectionate and conciliatory language, our warm attachment to union with our sister States, and to the instrument and principles by which we are united, &c. * * *

'This was only meant to give a general idea of the complexion and topics of such an instrument. Mr. Madison, who came, as had been proposed, does not concur in the *reservation* proposed above; and from this I recede readily, not only in deference to his judgment, but because, as we should never think of *separation*, but for repeated and enormous violations, so these, when they occur, will be cause enough of themselves. * * *

'*As to preparing any thing I must decline it*, to avoid suspicions, (which were pretty strong in some quarters on the late occasion,) and because there remains still (after their late loss) a mass of talents in Kentucky, sufficient for every purpose. * * How could you better while away the road from hence to Kentucky, than in meditating this very subject, and preparing something yourself, than whom nobody will do it better?'

This letter makes it highly probable, that Wilson Cary Nicholas wrote the Kentucky resolution of 1799, if it is absolutely necessary to suppose that it came from Virginia; it makes it highly improbable that Mr. Jefferson wrote that resolution; and consequently, till proof or stronger presumption to the contrary is produced, there is no ground for quoting the Kentucky resolutions, drafted by Mr. Jefferson, as authority for the term 'nullification.'

But to leave the term and go to the thing, we cannot but express our surprise, that this resolution of Kentucky in 1799, should be thought to hold out a warrant, for the new South Caro-

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* Mr. Jefferson means acquiescence in the objections of the other States to the Kentucky resolutions of 1798.

lina doctrine of a right to suspend or annul the action of a law of the General Government. The resolution is limited in terms to a protest, and concludes in that alone, and in the following words :

'That though this Commonwealth, as a party to the Federal compact, will bow to the laws of the Union, yet it does at the same time declare, that it will not now, nor ever hereafter, cease to oppose, *in a constitutional manner*, every attempt, from what quarter soever offered to violate that compact; and finally, in order that no pretexts or arguments may be drawn from a supposed acquiescence, on the part of this commonwealth in the constitutionality of those laws, and be thereby used as precedents for similar future violations of the Federal compact, this Commonwealth does now enter against them its *solemn protest*.'

This South Carolina has done two years since against the tariff laws, (having dropped, from her protest, we know not why, the Colonization Society and Internal Improvements in the list of grievances;) and has thus exhausted the Kentucky precedent. After having thus gone over the ground of these famous resolutions, we again repeat, that they furnish no warrant for any course between the ordinary constitutional courses enumerated, and revolution or separation from the Union; and Mr. Jefferson agreed, on Mr. Madison's suggestion, to withdraw even a vague *reservation* of a future right to *do something*, because *separation* should only be resorted to as the remedy of extreme and often repeated cases of violation of the compact.

Before we quite leave this topic, we would observe, that, in the debate in the Virginia Assembly by which these resolutions were adopted, all idea of force, or of proceeding in an unconstitutional manner, was expressly disclaimed, and by no one more distinctly than by Mr. Taylor, of Caroline, the mover of the resolutions. Extracts from the debate showing this, may be found in Mr. Johnston's speech, page 16; they are here of necessity omitted.

We have already said, that we believe Kentucky and Virginia stood alone in 1798 and 1799, in the matter of these resolutions. It is a period to which our personal recollections do not extend, but we speak in the absence of all evidence that any other State co-operated with them. Mr. Mc Duffie, in his speech last winter, observed, that 'Pennsylvania adopted similar resolutions at a subsequent period,' remarking,

at the same time, we believe, that this was a fact not generally known. If any thing else is alluded to, than the Pennsylvania resolutions in Olmstead's case, we are unacquainted with it. That case is now of general notoriety, and its bearings on this subject are so important, that it ought not to be omitted here.

Before quoting it, we would observe, that one great point in the present controversy, as in that of 1798 and 1799, is the constitutional competence of the Supreme Court of the United States to decide all questions of law or equity, arising under the Constitution and laws of the United States. It is contended, on the one hand, that the Supreme Court is the tribunal provided by the compact to settle the constitutionality of laws. On the other hand, it is maintained, that the province of the Supreme Court is confined to judicial questions, in the ordinary acceptation of that term, and does not apply to matters connected with the sovereignty of the States; and that if it did, *the General Government would be made the judge of its own powers.*

We propose presently to say a few words on this argument (in which we think a fallacy, fatal to the whole doctrine, is concealed); but we will observe here, that, though we admitted in its amplest form, all that the Virginia doctrine of 1798 and the South Carolina doctrine of 1828 contends for, relative to the Supreme Court, it would in no degree strengthen the nullifying doctrine. The Virginia resolutions deny, that the Supreme Court is the sole tribunal competent to decide questions, touching breaches of the compact, and claim that the States must decide for themselves. But what then? A State having decided that a law of Congress is unconstitutional, has a right, according to the Virginia resolutions, to protest against it, to demand of Congress to rescind it, to call on the sister States to concur in these measures, to endeavor to procure a convention, and amend the Constitution, and to instruct its United States' Senators to endeavor to procure an amendment. And if redress is not obtained, what then? Then on the Virginia doctrine comes *separation*, that is, revolution and civil war, if the other States please. This, we say, is the Virginia doctrine of 1798 and 1799. The South Carolina doctrine is, that the State legislatures are rightfully judges of the constitutionality of laws of the United States; and that when one State judges a law to be unconstitutional and nullifies it, its operation is suspended till Congress has procured a ratifica-

tion of it, by an amendment of the Constitution; and that the Supreme Court of the United States is not competent to judge of questions involving State sovereignty.

We proceed now to Olmstead's case, a great and instructive one. This was a case running back historically to the year 1775. The history is too long to be here repeated;* it is sufficient to say, that in 1803, the legislature of Pennsylvania passed a special act, to protect certain persons against a judgment of the Circuit Court of Pennsylvania, in consequence of which and to avoid collision, the proceedings of that court were stayed. On the application of the parties interested, a *mandamus nisi* was issued to Judge Peters, by the Supreme Court of the United States, returnable at the next term. The cause shown by Judge Peters was the act of Pennsylvania, of 1803, directing the Governor to use such means as he might think necessary, for the protection of 'the just rights of the State,' and also to protect the persons and property of the said executrixes of David Rittenhouse, deceased, against any process whatever, issued out of any federal court, in consequence of their obedience to the requisition of said act.' After a masterly review of the case, the Chief Justice decreed a peremptory *mandamus*. This decision of the court was communicated by Governor Snyder to the legislature; and his message was referred to a committee of the Senate of Pennsylvania, which, after a historical deduction of the case, reported the following resolutions, which were adopted. An attempt was made by the Governor to enforce the State act, by calling out the militia, but it proved abortive, and the process of the Circuit Court took effect.

'Resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania, &c. that as a member of the Federal Union, the legislature of Pennsylvania acknowledges the supremacy, and will cheerfully submit to the authority of the General Government, as far as that authority is delegated by the Constitution of the United States. But whilst they yield to this authority, when exercised within constitutional limits, they trust they will not be considered as acting hostile to the General Government, when, as guardians of the State rights, they cannot

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* It may be seen in the 'Whole Proceedings in the Case of Olmstead and others *vs.* Rittenhouse's Executrices, by R. Peters, Jun. Philadelphia, 1809,' and in 5 Cranch, 115.

permit an infringement of those rights by an unconstitutional exercise of power in the United States courts.

'Resolved, that in a Government like that of the United States, where there are powers granted to the General Government, and rights reserved to the States, it is impossible, from the imperfection of language, so to define the limits of each, that difficulties should not sometimes arise, from the collision of powers; and it is to be lamented, that no provision is made in the Constitution, for determining disputes between the General and State Governments, by an impartial tribunal, when such cases occur.

'Resolved, that from the construction the United States courts give to their powers, the harmony of the States, if they resist encroachments on their rights, will frequently be interrupted; and if to prevent this evil, they should, on all occasions, yield to stretches of power, the reserved rights of the States will depend on the arbitrary power of the courts.

'Resolved, that should the independence of the States, as secured by the Constitution be destroyed, the liberties of the people, in so extensive a country, cannot long survive. To suffer the United States courts to decide on State rights, will from a bias in favor of power, necessarily destroy the federal part of our Government; and whenever the Government of the United States becomes consolidated, we may learn from the history of other nations what will be the event.

'To prevent the balance between the General and State Governments from being destroyed, and the harmony of the States from being interrupted,

'Resolved, that our Senators in Congress be instructed, and our Representatives requested, to use their influence to procure an amendment to the Constitution of the United States, that an impartial tribunal may be established, to determine disputes between the General and State Governments; and that they be further instructed to use their endeavors, that in the meanwhile such arrangements may be made, between the Government of the Union and of this State as will put an end to existing difficulties.

'Resolved, that the Governor be requested to transmit a copy of these resolutions, together with the foregoing statement, to the Executive of the United States, to be laid before Congress, at their next session. And that he be authorised and directed to correspond with the President on the subject in controversy, and to agree to such arrangements, as it may be in the power of the Executive to make, or that Congress may make, either by the appointment of Commissioners or otherwise, for settling the difficulties between the two governments.

'Resolved, that the Governor be also requested to transmit a copy to the Executives of the several States in the Union, with a request that they may be laid before their respective Legislatures.'

These resolutions were approved by Governor Snyder on the 3d of April, 1809, and sent in the usual manner, to the several States of the Union. We have before us, in the legislative journals of Pennsylvania, the responses of New Hampshire, Vermont, North Carolina, Virginia, Maryland, Georgia, Tennessee, Kentucky, New Jersey, all in opposition to the proposed amendment, and no one in favor of it. The doings of Virginia are too important to be omitted, and are as follows. We quote them from Note 3, to Mr. Webster's speech.

'The following resolutions of the Legislature of Virginia bear so pertinently and so strongly on this point of the debate, that they are thought worthy of being inserted in a note, especially as other resolutions of the same body are referred to in the discussion. It will be observed, that these resolutions were unanimously adopted in each House.

VIRGINIA LEGISLATURE.

'*Extract from the Message of Governor Tyler of Virginia, December* 4, 1809.

'"A proposition from the State of Pennsylvania is herewith submitted, with Governor Snyder's letter accompanying the same, in which is suggested the propriety of amending the Constitution of the United States, so as to prevent collision between the Government of the Union and the State Governments."

HOUSE OF DELEGATES.

Friday, December 15, 1809.

'On motion, ordered, that so much of the Governor's communication as relates to the communication from the Governor of Pennsylvania, on the subject of an amendment proposed by the Legislature of that State to the Constitution of the United States, be referred to Messrs. Peyton, Otey, Cabell, Walker, Madison, Holt, Newton, Parker, Stevenson, Randolph (of Amelia), Cocke, Wyatt and Ritchie.—*Journal*, p. 25.

Thursday, January 11, 1810.

'Mr. Peyton, from the committee to whom was referred that part of the Governor's communication, which relates to the amendment proposed by the State of Pennsylvania to the Constitution of the United States, made the following Report:

'The committee to whom was referred the communication of the Governor of Pennsylvania, covering certain resolutions of

the Legislature of that State, proposing an amendment of the Constitution of the United States, by the appointment of an impartial tribunal to decide disputes between the States and the Federal Judiciary, have had the same under their consideration, and are of opinion that a tribunal is already provided by the Constitution of the United States, to wit, the Supreme Court, more eminently qualified from their habits and duties, from the mode of their selection, and from the tenure of their offices, to decide the disputes aforesaid in an enlightened and impartial manner, than any other tribunal which could be created.

'The members of the Supreme Court are selected from those in the United States, who are most celebrated for virtue and legal learning, not at the will of a single individual, but by the concurrent wishes of the President and Senate of the United States: they will therefore have no local prejudices and partialities. The duties they have to perform lead them necessarily to the most enlarged and accurate acquaintance with the jurisdiction of the Federal and State courts together, and with the admirable symmetry of our Government. The tenure of their offices enables them to pronounce the sound and correct opinions they may have formed, without fear, favor, or partiality.

'The amendment to the Constitution proposed by Pennsylvania seems to be founded upon the idea, that the Federal Judiciary will, from a lust of power, enlarge their jurisdiction to the total annihilation of the jurisdiction of the State courts; that they will exercise their will, instead of the law and the Constitution.

'This argument, if it proves any thing, would operate more strongly against the tribunal proposed to be created, which promised so little, than against the Supreme Court, which, for the reasons given before, have every thing connected with their appointment calculated to ensure confidence. What security have we, were the proposed amendment adopted, that this tribunal would not substitute their will and their pleasure, in place of the law? The Judiciary are the weakest of the three departments of Government, and least dangerous to the political rights of the Constitution; they hold neither the purse nor the sword; and even to enforce their own judgments and decisions must ultimately depend upon the executive arm. Should the Federal Judiciary, however, unmindful of their weakness, unmindful of the duty which they owe to themselves and their country, become corrupt, and transcend the limits of their jurisdiction, would the proposed amendment oppose even a probable barrier in such an improbable state of things?

'The creation of a tribunal, such as is proposed by Pennsyl-

vania, so far as we are able to form an idea of it from the description given in the resolutions of the Legislature of that State, would, in the opinion of your Committee, tend rather to invite than to prevent collisions between the Federal and State courts. It might also become, in process of time, a serious and dangerous embarrassment to the operations of the General Government.

'Resolved, therefore, that the Legislature of this State do disapprove of the amendment to the Constitution of the United States, proposed by the Legislature of Pennsylvania.

'Resolved also, that his Excellency the Governor be and he is hereby requested to transmit forthwith, a copy of the foregoing preamble and resolutions, to each of the Senators and Representatives of this State in Congress, and to the Executives of the several States in the Union, with a request that the same be laid before the Legislatures thereof.

'The said resolutions being read a second time, were, on motion, ordered to be referred to a committee of the whole House on the state of the Commonwealth.

Tuesday, January 23, 1810.

'The House, according to the order of the day, resolved itself into a committee of the whole House on the state of the Commonwealth, and after some time spent therein, Mr. Speaker resumed the chair, and Mr. Stanard (of Spottsylvania), reported, that the committee had, according to order, had under consideration the preamble and resolutions of the select committee to whom was referred that part of the Governor's communication, which relates to the amendment proposed to the Constitution of the United States, by the Legislature of Pennsylvania, had gone through with the same, and directed him to report them to the House without amendment; which he handed in at the Clerk's table.

'And the question being put on agreeing to the said preamble and resolutions, they were agreed to by the House unanimously.

'Ordered, that the Clerk carry the said preamble and resolutions to the Senate and desire their concurrence.

In Senate.

Wednesday, January 24, 1810.

'The preamble and resolutions on the amendment to the Constitution of the United States, proposed by the Legislature of Pennsylvania, by the appointment of an impartial tribunal to decide disputes between the State and Federal Judiciary, being also delivered in and twice read, on motion, was ordered to be committed to Messrs. Nelson, Currie, Campbell, Upshur and Wolfe.

Friday, January 26.

'Mr. Nelson reported, from the committee to whom was committed the preamble and resolutions on the amendment proposed by the Legislature of Pennsylvania, &c. &c. that the committee had according to order, taken the said preamble, &c. under their consideration, and directed him to report them without any amendment.

'And on the question being put thereupon, the same was agreed to unanimously.'

Such was the fate of the Pennsylvania Resolutions. If this is the case, in which Pennsylvania is supposed to have affirmed the Kentucky and Virginia doctrines of 1798 and 1799, it must be admitted that these States, in 1809, made her but a cold return for her concurrence.

We have stated above, that a fallacy, fatal to the argument, is concealed in the proposition, that to allow the Supreme Court to be the exclusive judge of questions of constitutionality, between the General Government and the State Governments, would be to make the General Government, which is stated to be one party to the compact, the judge of its own powers. Mr. Webster, in his final brief rejoinder, pointed out the obvious defect in this reasoning, that, even admitting the theory that the Constitution is a compact, to which the States are parties, the General Government was not the other party, and consequently could not be spoken of as judging of its own powers; but was the form of government created by the various parties; and the question of course is, what is the tribunal provided by this compact, under the form of government established by it, to settle controversies? Supposing this to be the question, and waiving the inaccuracy of speaking of the General Government as one party, there appears to us an obvious fallacy in the argument. The answer to this question is, the Supreme Court of the United States is this tribunal, created by the people of the United States, or, if you please, by the States, to settle disputed points. The Supreme Court is not a tribunal created by the General Government; but with the other branches of the General Government, it is itself the creature (as we say) of the people, or (as South Carolina says) of the States. When therefore the Supreme Court decides a question, it is the people or the States (whichever you please), deciding a question, through the organs, which the people, or the States, have constituted. There is therefore

not the shadow of truth in the proposition, that to make the Supreme Court a judge in controversies between a State and Congress is to make the General Government judge of the extent of its own powers.

The South Carolina doctrine, denying that the Supreme Court is the judge, in constitutional controversies, maintains that each State must judge for itself; and that it is the right of each State to suspend the action of any law, which it deems unconstitutional, till two thirds of the other States have confirmed it. It is said, to be sure, that it must be a case of violation of the Constitution, deliberate, palpable, and dangerous; but as the State is also the sole judge of these conditions, the qualification, as observed by Mr. Webster, comes to nothing.

It is claimed, too, expressly, that this is a constitutional right reserved to the States, and indeed necessarily belonging to an independent State, entering into a federal compact.

It is an obvious objection, then, first, to such a doctrine, that this great organic function, transcending all the constitutional powers of the Government, is not *named* in the Constitution. It would seem that so tremendous a power, clothing Delaware, Rhode Island, or Illinois, with a constitutional right to suspend the operation of a law, which has received the sanction of each House of Congress, of the Executive, and of the Supreme Court, *ought to be expressly named in the Constitution.* That Constitution, (to which South Carolina, either as a State or as a portion of the American people, is a party,) has formally provided, that 'this Constitution and the laws of the United States, which shall be made in pursuance thereof; and all treaties made or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges, in every State, shall be bound thereby, any thing in the Constitution or laws of any State to the contrary, notwithstanding.' Here, however, South Carolina says there is *implied* this proviso, '*Provided*, however, that whenever any State shall deem any law unconstitutional, the same shall be held and taken to be unconstitutional, null, void, and of no effect, until such time as three fourths of the States shall have amended the Constitution, in such manner, as that the aforesaid law shall be constitutional.'

This proviso, it is plain, is, in a few lines, a new form of Government, the incongruity of which, in the mere statement, is so manifest, that we fear we shall scarcely be deemed seri-

ous in arguing upon it. But it is a doctrine which a great, enlightened, polished, patriotic State, is now convulsed to uphold.

We scarce know where to begin with the difficulties that surround it. It comes from politicians who think themselves the enemies of *implied* powers. Let any gentleman, who is disposed to favor this doctrine, put it into words to suit himself, and then point out, in the wildest visions of latitudinarian construction, an implied power, so remote from every granted or specified power, as that which would clothe every State with a standing right to suspend the operation of any and every law, till two thirds of the States had re-enacted it.

But it is said, this is a reserved right. Mr. Hayne, in his second speech, thus expresses himself:

'But I go farther, and contend, that the power in question may be fairly considered as reserved to the States by that clause of the Constitution, before referred to, which provides, "that all powers not delegated to the United States, are reserved to the States respectively, or the people." No doubt can exist, that before the States entered into the compact, they possessed the right, to the fullest extent, of determining the limits of their own powers,—it is incident to all sovereignty. Now have they given away that right, or agreed to limit or restrict it in any respect? Assuredly not. They have agreed that certain specific powers shall be exercised by the General Government; but the moment that Government steps beyond the limits of its charter, the right of the States "to interpose for arresting the progress of the evil, and for maintaining, within their respective limits, the authorities, rights, and liberties, appertaining to them," is as full and complete as it was before the Constitution was formed. It was plenary then, and having never been surrendered, must be plenary now.'

And immediately on this assertion of the reserved right of the States, to judge for themselves of the infractions of the compact, follows Mr. Hayne's indication of the *modus operandi*, as already quoted.

We are not quite sure, that to speak of a reserved right to settle constitutional controversies, is not a contradiction in terms. The States undoubtedly possessed certain rights, before the Constitution was formed. Those rights, of course, had no reference to or connexion with the Constitution, which was not in existence. There could be no rights of the States, touching constitutional functions, and the order of enacting and repealing laws, till the Constitution was created.

If it be meant that, under the Confederation, the individual States possessed this right, it is sufficient to say, *first*, that the confederation was abolished by the Constitution, and no part of it retained, except by express provision; and *second*, that, under the old confederation, no *similar* power belonged to an individual State. On the contrary, though the action of the Government of the Confederacy was on the States and not on the citizens, 'every State was bound to abide by the determinations of the United States in Congress assembled, on all questions submitted to them.'

If it be finally meant, by a reserved right, that it is a constitutional right of *every* sovereign State, (for we grant, merely for the sake of argument, that the Constitution is a compact, to which the States *alone* are parties, a theory repudiated by Virginia in 1798) that enters into a constitutional compact, to judge when the acts of the functionaries created by the compact are against its provisions, the unsoundness of the proposition is too evident to be argued. Every constitutional compact of Government made by reasonable men, should provide for a tribunal to settle controversies. If this be omitted, (and it is such a *casus omissus* as it would be to omit the reasoning faculty in constituting an intellect,) then, we admit, the parties reserve to themselves the right, severally, of quitting the confederacy in case of disagreement; but this is not a constitutional right; it is a natural right. This is the common law of partnerships. Putting the Union, if you please, merely on the loose footing of a partnership; supposing it to be the slightest connexion in which bodies of men could live or act together; no one ever heard that any single partner could suspend the action of all the rest, till two thirds had consented to a modification or explanation of the articles. The utmost he can claim, is a right to quit the firm. The utmost that South Carolina can claim, is a right to quit the Union. It is the reserved right of separation; and all attempts to point out a middle constitutional course, between this extreme and desperate right and that of ordinary constitutional means of procedure, are labor and ingenuity wasted. That a school of politicians, professedly hostile to *implied* powers, should imply a power like this, goes almost beyond the limits of conceivable self-contradiction.

Again, let us view it on the ground of *State rights*. This new doctrine purports to come from the State Right school,

although we believe it would be rather difficult, genealogically to deduce its descent from that class of politicians. Be this as it may, it seems but a strange consequence of the doctrine of State rights, that one State has, at all times, a constitutional right to nullify the acts of the other twenty-three. It has lately been publicly proclaimed, by a respectable member of Congress of the South Carolina school, not merely with some air of exultation, but as an example to be imitated by South Carolina, that Georgia has nullified the treaties and the laws of Congress inconsistent with her supposed rights. His words are;

'By a law of the United States, the non-intercourse [intercourse] law, the President was authorised to prevent, by armed force, the intrusion of the whites upon the Indians. Yet, when Georgia became dissatisfied, and justly so, with the conduct of the Government, when she became assured that the Indian titles would never be extinguished, what was her remedy? She abrogated, she nullified the treaty; she reverted to her original sovereign right over her soil; and extended, in defiance of all treaties, of all laws, her own jurisdiction over all persons within her limits. And what was the result? Disunion? No! The tempest did rumble at a distance, but those fearless champions trembled not at its threatenings, and it passed away. Bloodshed? No! The crash of arms was heard—the tocsin of violence was sounded—but Georgia's patriots were ready at their posts; their feet were planted upon her boundary; and their firm and lofty defiance achieved at once what their petitions, remonstrance, and appeals, had for years attempted in vain. They triumphed! Here, then, is a precedent; here was nullification; nullification of a treaty of Congress—of a law of Congress—of the pretended law of the land. This is a precedent familiar to all. It is one on which we may confidently depend.'

Of these treaties several were ratified unanimously by the Senate of the United States; by the Senators from Georgia and South Carolina among the rest. The treaty with the Cherokees of 1817 was negotiated by General Jackson and the Governor of Tennessee, '*as commissioners plenipotentiary of the United States of America.*' It recited the purpose of the Cherokees, who remained east of the Mississippi, 'to begin the establishment of fixed laws and a regular government.' It assured to them 'the patronage and good neighborhood of the United States.' That treaty was unanimously ratified by the

sovereign States of this Union, Mr. Troup, as a Senator from Georgia, voting, on behalf of that State, for the ratification. And yet Georgia, a single sovereign State, has, as has been correctly said by Mr. Barnwell, nullified this act of the other sovereign States. But Georgia, of course, possesses no rights in this matter not possessed by any other and every other State. In other words, it is the right of any State to nullify any treaty or law of the United States, whenever that State (herself being the judge,) shall deem her sovereignty to be invaded, or the Constitution violated, or her reserved rights impaired by the treaty or law. That such a theory of Government should ever be admitted by wise men is marvellous; but that it should be admitted as a State right doctrine is indeed one of the things, of which we are ready to exclaim, *Credo quia impossibile est.*

We profess to be firm and ardent friends of the rights of individual States, and of the rights of individual men. It is to preserve these rights, that Governments are established; and in Governments the will of the majority is taken to be the will of the whole, because the majority contains the greatest number of individuals. The majority—as such—is entitled to no natural preference. The Government is not made for them; it is made for the individuals; it is because the majority consists of the greatest number of minorities, so to say, that it ought to govern. If a vital measure is at stake, and one hundred and one are for it, and ninety-nine against it, it is indeed an unfortunate circumstance, that on vital measures, opinions and interests should be so much divided; and it is common enough to hear it said, that it is hard, that such measures should be carried by slender majorities. But it is surely hard, that they should be carried by no majority at all; that is, that they should be decided against the majority. It is hard that one hundred and one should carry a measure against ninety-nine; but it is surely harder that ninety-nine should carry it against one hundred and one. The rights therefore of the individual, in the long succession of years, and in the infinite variety and crossing of questions, are best secured by the maxim, that the majority shall govern. He can never then be injured or successfully opposed by less than one half; but give to any less number than a majority the right to decide questions, and each individual is liable to be successfully opposed; by a third, a quarter, or a single individual, as the case may be.

So of States, acting as States in a confederacy. Nothing can be plainer than that all provisions, requiring any thing more than a majority, are so many encroachments on the rights of individual States. This is unquestionably a defect in the Federal Constitution. Two thirds of the Senators must concur to ratify a treaty. This is saying in effect, that the chances are nearly as two to one, that every treaty ought to be rejected. Is there any foundation, in political philosophy, for such a notion? A treaty is negotiated; there are forty-eight Senators; thirty-one are for it; seventeen against it; and it cannot be ratified. This is very favorable to the States represented by the seventeen; but how is it to the States represented by the thirty-one? This, however, is the Constitution; it is agreed to; and whether abstractly expedient, matters not now.

But then comes the nullifying doctrine and declares the right not of one third of the States to prevent two thirds from making a treaty, but of a single State to annul a treaty, which all the other States have made. And this is called State rights doctrine! It ought to be called the doctrine, whereby the greatest possible number of sovereign States may in the largest number of cases be prevented from exercising their rights, by the smallest assignable minority.

These are not cases of extreme hypothesis, they are conceivable, nay they are historical cases, cases that may happen, or cases that have happened. Georgia, Alabama, and Mississippi have nullified the intercourse law which is nearly coeval with the Government, and about fifty treaties. It is admitted; it is boasted of, and held up as a precedent to be depended on. Suppose Louisiana should hold with some very eminent politicians, that the Florida treaty gave away part of her territory. That treaty was unanimously ratified. May Louisiana nullify it, and extend her jurisdiction over Texas? Yes, says the nullifying school, and cheers her on to do it. But this is war against Mexico; and when Louisiana is at war with Mexico, what are the United States doing? Are they at peace or at war? If at war, are they at war with Mexico, and with Mexico's ally, Great Britain; whose Minister has lately told us, we shall not buy Texas, far less, we suppose, 'extend our jurisdiction over it,' without buying it?—Are we at a war, too, declared by one State? That is against the letter of the Constitution.

Another case. The last convention with Great Britain submits to arbitration a part of the State of Maine. This conven-

tion was, also, we believe, unanimously ratified by the Senate. Suppose the umpire, the King of the Netherlands, should decide that the disputed territory (being nearly as large as Massachusetts,) does not belong to Maine and Massachusetts, but belongs to New Brunswick. Maine and Massachusetts following the Georgia precedent, and borne out by the Carolina doctrine, decree a nullification of the treaty. What says Great Britain to this? First, she would tell you, that Maine and Massachusetts are no parties to the treaty, and that she looks to you, the United States, to see that it is observed in good faith. Next, she would say, if you do not give us the land in fulfilment of the treaty, we will take it ourselves. The good people of Maine and Massachusetts would bid them 'come and try,' and there again we have war foreign or civil. If the United States support Maine in breaking their own treaty, it is foreign war; if the United States fulfil their treaty, it is civil war with Maine.

But to return to the nullifying of laws, leaving treaties aside. We greatly fear that our brethren in South Carolina have contemplated the doctrine, too much in its application to laws, which are disliked by themselves, and that they have not viewed the matter, in its *principle*. A State, they say, may suspend the operation of an act of Congress, which it deems unconstitutional, till two thirds of the States sanction it by an amendment. At the last session of Congress, a law was passed, providing half a million of dollars to remove the Indians. We believe the voice not of one State, but of half the States of the Union could be obtained, to declare that law unconstitutional, under the circumstances of the case, and deeply injurious to each State, as a violation of the honor of each State pledged by treaty, to these Indians. Now the South Carolina doctrine is, that Massachusetts or Ohio has a right to suspend the operation of this law till two thirds of the States have confirmed it. Would two thirds ever confirm it? Assuredly not. Here then we have Georgia nullifying the treaties with the Indians, and Ohio nullifying the appropriation acts passed to carry into effect the nullification of the treaties.

Massachusetts and several other States, in 1807 and 1808, held the embargo to be unconstitutional, and Mr. Hayne observes, in his second speech, 'that it was right to yield it to honest convictions of its unconstitutionality, entertained by so large a portion of our fellow-citizens.' But this is not quite enough, much

as we honor Mr. Hayne's liberality on this point. Massachusetts deemed it unconstitutional. Could she have instantly suspended it, till Congress had obtained an amendment to confirm it? She did propose to the other States an amendment of the Constitution, providing 'that no law should be enacted, laying an embargo, or prohibiting or suspending commerce, for a longer period than until the expiration of thirty days from the commencement of the session of Congress, next succeeding that session, in which such law should have been enacted.' Nobody joined her in the amendment, out of New England; and Mr. Hayne devotes a whole paragraph in his speech, to show that the *onus* of procuring the amendment ought to lie *not* with the single discontented State, but with the rest of the Union. Massachusetts had then a right to suspend the embargo law according to the South Carolina doctrine, and compel the other States, if they chose to have it, to procure an amendment of the Constitution. This process would, at the least calculation, have lasted a year. What would have become of the embargo meantime? What was said even of those, who advocated its repeal in the ordinary course of legislation? The bare exercise of his rights as a citizen and a member of Congress, to procure this repeal, in conformity with the instructions of his constituents, and the wishes of all New-England, procured from Mr. Jefferson for Judge Story, then a member of Congress, the epithet of *pseudo-republican*.

But we go a step farther. How does the nullifying power bear on the question of a declaration of war. The war measures of 1798 were deemed by the republican party unconstitutional. The Alien Law, which was brought forward by its friends as a war measure, was one of the two laws, which led to the resolutions of Virginia and Kentucky, and was denounced as unconstitutional. The declaration of war, in 1812, was regarded, by the federal party, as unconstitutional, in like manner as the tariff is now held by Carolina to be unconstitutional; that is to say, a law within the forms of the Constitution, but passed for unconstitutional objects. These we need not enumerate; and it is in no degree necessary to inquire into the justice of these opinions. That they existed, we suppose, will not be denied. If then Massachusetts, that is, the dominant party in Massachusetts, believed that the war was declared from attachment to France, antipathy to England, hostility to commerce, or an opinion that 'we should keep our New England

brethren to quarrel with,' all of which was believed by the majority of New England at that day, and which all will allow are motives unknown to the Constitution, then Massachusetts had a right, by the South Carolina doctrine, to nullify the declaration of war, until two thirds of the States had confirmed it.

Again, the vocabulary of reprehension has been exhausted on Massachusetts, for withholding her militia from the General Government, although called out in a manner now *acknowledged* to have been contrary to the Constitution of the United States and of Massachusetts. There is not in the United States of America a man, who will hazard a reputation as a statesman, by saying, that the mode, in which the Massachusetts militia were called out was constitutional: we mean separating the officers from their companies, regiments and brigades. Massachusetts did undertake to nullify the law creating that draft. And what has been the consequence? The annihilation of the political party that recommended that measure; reproach and outrage from their opponents throughout the Union; and the privation of her treasury, for nearly twenty years, of a half a million of dollars, patriotically and faithfully advanced for the public service.

Congress establishes a bank: the President of the United States thinks its constitutionality well questioned, and Tennessee no doubt agrees with him, and does not stand alone. Any State may nullify the charter, till two thirds of the States confirm it. What would the Chairman of the Committee of Ways and Means say to this? Would he quote the Kentucky Resolutions again, to prove that 'a nullification of all unauthorized acts done under color of that instrument is the rightful remedy.'

It is plain farther, that the nullifying power already maintained to extend to treaties and laws, may apply to every other function of the government; to executive and to judicial acts. The President has power to fill vacancies, which occur in the recess of the Senate. He may consider vacancies occurring by removal as within the purview of the Constitution. He may remove collectors of the customs in the recess, and appoint others, to reward his friends. The people of a State may deem such a course unconstitutional. By the South Carolina doctrine, a State, so deeming, may nullify the commissions of officers thus appointed; and what then becomes of the customs?

Kentucky was much aggrieved at the decision of the United

States' court, in the case of the occupying claimant laws. She deemed that decision unconstitutional in itself, oppressive and derogatory to Kentucky. Kentucky could, by the South Carolina doctrine, have nullified that decision; and beyond question, it struck far deeper into her vitals, than all the alien and sedition laws, that could have been enacted to the end of time. The Alien and Sedition Laws were empty Salmonean thunder; the flash of smoky torches, and the trampling of steeds on a brazen floor. They did not blast a spire of blue grass in the beautiful woodlands of Kentucky. They were, to say the least, as inefficient as they were ill-judged. The alarm, which they excited, was that of oppression snuffed at a distance, on the tainted gale. Not so the opinion of the Supreme Court of the United States, in the case of Green and Biddle;

——non ille faces nec fumea tædis
Lumina.

If the Alien and Sedition Laws were as inefficient as they were unconstitutional; this opinion was as effective as it was righteous; it was the *non imitabile fulmen*, real three-bolted thunder. It struck at the legislature, the courts, the titles of Kentucky; repealed her laws, reversed the decisions of her judges, and drove hundreds of her citizens, without a dollar of indemnity, from the homes, which they had painfully built up in the wilderness. Could Kentucky have nullified that decision, the little finger of which was heavier upon her than the loins of the Alien and Sedition Laws? Would Virginia have looked on and seen her nullify them? Virginia, who thought that she and justice gained a great triumph on this occasion? Virginia, whose legislation, whose judiciary, whose grants were sustained, in proportion as those of Kentucky were impugned?

There is a crying evil in this country, on the subject of the relations of debtor and creditor. The ancient Gothic jurisprudence of Great Britain, of which all too much afflicts this generation and this country, regarded and punished misfortune as a crime. Our laws so regard it; and inability to pay his debts, whether produced by vice, general inefficiency, accident, or the hand of God, is held in this Christian community to be equally a crime, for which the culprit is subject to be immured in a jail; and that at the discretion or caprice of the creditor, who is authorized to reduce his victim to this penal bondage to the end of his life: seizing successively the earn-

ings of each day, in discharge of an undischargable obligation. By this system of antiquated cruelty and injustice, called law, great individual misery is wrought in the land, much malignant passion nourished, swarms of the subaltern ministers of justice pampered, and a large and growing class of what might be industrious and valuable citizens, condemned to heart-breaking inaction, and lost to themselves and the country. Wise and philanthropic statesmen have labored, at various times, to provide a partial remedy for this stupendous evil, by an act of Congress; and among them, none has labored more meritoriously than Mr. Hayne. In the first session of the nineteenth Congress, Mr. Hayne reported a bankrupt law in the Senate of the United States, and sustained it with equal ability and zeal. Better speaking on such a subject we never wish to hear; much better we never did hear from any body, than we then heard from Mr. Hayne. He did not succeed, however, in overcoming the honest doubts of his colleagues; and though he merited, he did not meet with success. But suppose it had been his honor and good fortune to carry the bill through the Senate, and it had become a law: while he was resting from his strenuous efforts, with the ingenuous flush of richly deserved and modestly enjoyed triumph on his cheek; while the benedictions of those whose prison-doors he had thrown open were just reaching his ears, and arms long encumbered with vile fetters, but now renerved by him with honest industry, were raised to heaven for a blessing upon him, as they would have been from Louisiana to Maine; suppose that, at this moment, Vermont had sent him an act declaring the bankrupt law unconstitutional, as many hold it to be, and suspending his code of mercy and justice, till two thirds of the States had confirmed it. What would he have said to the nullifying doctrine and the nullifying act?

We trust we do not overstate the principles which we would enforce. The time has been, and that not ten years since, when every word we have uttered would have been echoed from South Carolina, with an emphasis far beyond its original force. In 1821, a series of essays appeared in a Georgia paper, under the signature of 'The Trio,' the ostensible object of which was to show, that the administration of Mr. Monroe (then just re-elected) was conducted on principles altogether subversive of the republicanism of 1801. We have never seen these essays, but their character is thus indicated, in the preface to a pamphlet, which we shall presently quote:

'The basis, however, of the argument in which The Trio indulge, is in contending "for a strict and literal construction of the Constitution," and in affirming an absolute negation of every thing wearing the aspect of an "implied power." This construction, as their own reasoning proves, would limit the sphere of our National Charter to those suicidal efforts, which in the end will have produced its dissolution, as a matter of inevitable consequence. To these views, the "Triumvirate" added the tocsin of "State sovereignty," a note which has been sounded in "the ancient dominion," with such an ill-omened blast, but with no variety by them, to relieve its dull and vexatious dissonance.'

'It is against these doctrines, to support which the authority of the highest names has been brought forward, the most criminal examples cited, the most popular prejudices addressed, that "One of the People" has taken the field.'

The foregoing passage is from the preface to the pamphlet in which the essays of 'One of the People' are collected, under the title of 'National and State Rights Considered.' These essays have been universally and publicly ascribed to Mr. Mc Duffie.* We should think our pages well filled, by quoting the pamphlet entire, did not the length to which our article has run forbid us from doing so. We shall confine ourselves to one or two extracts:

'You assert, that when any conflict shall occur between the General and State Governments, as to the extent of their respective powers, "*each party has a right to judge for itself.*" I confess I am at a loss to know, how such a proposition ought to be treated. *No climax of political heresies can be imagined, in which this might not fairly claim the most prominent place.* It resolves the Government at once into the elements of physical force, and introduces us directly into a scene of anarchy and blood. There is not a single power delegated to the General Government, which it would not be in the power of every State Government to destroy, under the authority of this licentious principle. It will be only necessary for a State Legislature to pass a law, forbidding that which the Federal Legislature enjoins, or enjoining what the Federal Legislature forbids, and the work is accomplished. Perhaps you would require the State Judiciary to pronounce the State law constitutional. I will illustrate by a few examples:

'Suppose Congress should pass a law "to lay and collect taxes, imposts and excises," and that a State Legislature should

* See Mr. Grimké's Speech, before quoted, page 99, and elsewhere.

pass another, declaring the *objects* for which the revenue was intended were *unconstitutional*, and therefore prohibiting the officers of the General Government, by severe penalties, from collecting the taxes, duties, imposts and excises. Suppose Congress should pass a law "to raise an army" for a national war, and a State Legislature pass another, declaring the war "wicked, unrighteous and unconstitutional," and therefore prohibiting the officers of the General Government, under heavy penalties, from recruiting soldiers, within the limits of the State. Suppose Congress should pass a law "for the punishment of counterfeiting the securities and current coin of the United States," and a State Government should pronounce it unconstitutional, and provide heavy penalties against all officers, judicial or ministerial, who should attempt to enforce it. I need not multiply cases; for if you will duly consider these, you will find enough to satiate your keenest relish for anarchy and disorder. In all the above cases, you would say "each party has a right to judge for itself," and of course to enforce its judgment. You might then behold a revenue officer of the United States confined in a State dungeon, for obeying the revenue laws of Congress, &c. And all this would unavoidably result, in giving the State rulers a right to resist the General Government, or in a civil war to establish its legitimate authority; consequences, either of which is incompatible with the very notion of government. To suppose that the General Government has a constitutional right to exercise certain powers, which must operate upon the people of the States, and yet that the Government of each State has the right to fix and determine its own relative powers, and by necessary consequence to limit the powers of the General Government, is to suppose the existence of two contradictory and inconsistent rights. In all governments, there must be some *one* supreme power; in other words, every question that can arise, as to the constitutional extent of the powers of different classes of functionaries, must be susceptible of a legal and peaceable determination, by some tribunal of acknowledged authority, or force must be the inevitable consequence. And where force begins, government ends.

'And it is the more astonishing, that you have assumed positions, involving such tremendous consequences, when we consider that they are in direct opposition to the "strict letter" of the Constitution, your favorite test of the extent of delegated powers. It is therein provided "that the Constitution and the laws of the United States, which shall be made in pursuance thereof," "shall be the supreme law of the land, and the *judges in every State* shall be bound thereby, *any thing in the Constitution or laws of any State to the contrary notwithstanding.*" And

again, "the judicial power [of the United States] shall extend to all cases in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority." Nothing can be more plain than that the "strict letter" of the Constitution does make *the laws* of Congress *supreme*, enjoining obedience upon the State functionaries, and making void the laws of a State if contrary thereto. And to give the provision a sanction of a nature peculiarly impressive, "the members of the several State Legislatures, and all executive and judicial officers both of the United States and of the several States shall be bound by oath or affirmation to support the Constitution of the United States.

'It is not less evident, that it belongs to the National Judiciary, to pronounce upon the constitutionality or unconstitutionality of the laws of the National Legislature. Its jurisdiction extends to all cases rising under them; and it is hard to conceive how in any possible case a Federal judge can decide a case, arising under a law, without pronouncing upon the constitutionality of that law. In fact it would be vain and idle to make the laws of Congress supreme, if the National Judiciary had not the power of enforcing them. For you can hardly be ignorant, that a law is a dead letter, without an organ to expound, and an instrument to enforce it. I should suppose, therefore, that no professional man could hesitate in saying, that a forcible opposition to the judgment of the Federal court, founded upon an act of Congress, *by whatever State authority that opposition might be authorized*, would be the very case, which the Convention had in view, when they made provision, for "calling forth the militia to execute the laws of the Union." But I sincerely hope, that your licentious doctrines will never have the effect of misleading the State authorities so far, as to render this terrible resort unavoidable. I trust the farewell address of Washington, admonishing his fellow citizens to "frown indignantly" upon those who preach up doctrines tending to disunion, is not yet forgotten.' pp. 16—18.

Replying to the charge of federalism, made by his State right opponents to the administration of Mr. Monroe, Mr. Mc Duffie says,

'Presuming upon the ignorance of the people, you have vainly imagined, they could be carried away, by the "magic of a name." Hence your continual straining, your ridiculous twisting, to associate with every measure of Mr. Monroe's administration the term *federal;* a term which you suppose will awaken so many odious associations, as to make the people forget, that, as a party word, so far from applying to Mr. Monroe's adminis-

tration, it properly belongs to its opponents. And as among these, you may claim a distinguished situation, having preached pretty much the same doctrines in *peace*, which former opponents advocated in *war*, you could scarcely have deserved more credit, had a defence of the famous Hartford Convention and an accomplishment of their views, *so similar to your own*, been the avowed object of your labors.'

We have have referred to this able pamphlet, because we deem the principles, which it contains, almost without exception, sound; because they bear directly on the movements now making in Carolina; and because they come from a statesman respected throughout the country, but surely entitled to respect in the highest degree in South Carolina. This gentleman did not then stand alone in South Carolina; he was one of a party, comprehending nearly all the ablest men in that State. An extract from a Carolina newspaper, for the month of September, 1821, lies before us, from which we make the following quotation. After reprobating the conduct of Ohio, in the case of the bank of the United States, the editor of the paper proceeds,

'It is under the influence of such considerations as these, that we thought the example of South Carolina in the *unanimous* support given by her Legislature, during the last session, to the principles expressed in the following Report, might possibly produce some good at a crisis that appears to us so full of difficulties as the present.'

Then follows the *Report* of

'The committee to whom were referred the preamble and resolutions directing our Senators and requesting our Representatives in Congress, to oppose the proposed alteration in the tariff, submitted by the honorable member from Chesterfield.'

This Report, after setting forth the general concurrence of the Southern and Eastern States in the impolicy and inexpediency of the manufacturing system, proceeds as follows;

'Yet when they [the committee] reflect, that the necessity, at that time universally felt, of regulating the commerce of the country by more enlarged and uniform principles, was the first motive that induced the calling of a Convention in 1787; when they consider, that, among the powers *expressly* given up by the States, and vested in Congress, by the Constitution, is this very one of enacting all laws relating to commerce; *above all*, when they advert to the consequences, likely to result from the prac-

tice, unfortunately becoming too common, of arraying, on questions of national policy, the States, as distinct and independent sovereignties, in opposition to, or what is much the same thing, with a view to exercise a control over the General Government, your committee feel it their indispensable duty to protest against a measure, of which they conceive the tendency to be so mischievous, and to recommend to the House, that on this, as on every other occasion, where the common interests of the Republic are in question, they adhere to those wise, liberal and magnanimous principles by which this State has been hitherto so proudly distinguished.'

We infer from this document, taken in connexion with the manner in which it is quoted in the South Carolina paper, that in 1820–1821, on occasion of a proposed increase of the duties on imports, a member of the House of Representatives, in South Carolina, moved resolutions, instructing the Senators and requesting the Representatives of South Carolina in Congress to oppose the said increase; that these resolutions were committed to a select committee, and, on their Report *unanimously rejected*, on the following grounds;

1. That the tariff was a part of that enlarged and uniform system of regulating the commerce of the country, which led to the calling of the Convention, which framed the Constitution in 1787;

2. That the power of enacting all laws relating to commerce was *expressly* given up by the States and vested in Congress;

3. Thirdly, and *above all*, that the consequences of the practice, which had become too common, of arraying the States, as distinct and independent sovereignties, in opposition to, or in order to control the General Government on questions of national policy, was mischievous;

4. That on occasions, when the common interests of the republic are concerned, South Carolina should continue to pursue the wise, liberal, and magnanimous principles, by which that State has hitherto been distinguished.

These principles, we conceive, cover the whole ground of the present controversy. We quote them, because, what has been the opinion of South Carolina once, may be her opinion again, and not with any purpose of insinuating a charge of inconsistency against individuals or bodies of men. It must happen to every man, not possessing the somewhat rare endowment of infallibility, to have occasion, on great and difficult points, to revise his

first impressions; and in the complicated relations of national politics, the man who boasts, that he has never changed an opinion, boasts only that he has never acknowledged nor corrected an error. In 1821, it would have been impossible, in the Legislature of Massachusetts, to obtain an unanimous vote, in concurrence with a report like that, which we have just quoted, as having been unanimously adopted in South Carolina. Since that period, many, who, in this part of the country, opposed the tariff policy have, from the altered state of circumstances, been led to support it. In doing this, they have done only what it was foreseen and foretold, at the time, must be done by Northern men, and they have the sanction of the highest South Carolina authority. We will but cite the following.—On the 28th of November, 1820, a memorial was presented to the House of Representatives of the United States, from 'sundry inhabitants of the upper counties of the State of South Carolina,' the concluding paragraph of which is expressed in the following words:

'We will close this remonstrance, with one more view of this important subject, showing the extreme caution and deliberation, with which Congress ought to act. A false step taken, in this system of *protection can never be retraced.** This will appear from an obvious application of an established maxim of political economy. However high you may raise the duties upon foreign articles, the effect of competition will be to reduce the profits of the manufacturer, to the level of the profits of other kinds of industry. When a large manufacturing interest, therefore, shall have grown up under the faith of high protection, and can but barely sustain itself with the aid of the protection, it would be absolute ruin of that great interest, to withdraw a protecting duty of some fifty per cent, and suddenly reduce, in a corresponding degree, the value of the whole mass of invested manufacturing capital. The government that would hazard such a measure ought to have a military force to suppress insurrection.'

Such were the opinions of the citizens of the upper counties of South Carolina, on this subject, at the close of 1820. Those of Charleston expressed themselves, at the same time, in the following manner, in a memorial, signed by 'Stephen Elliott, chairman of the citizens of Charleston,' a gentleman, in whose recent decease not South Carolina alone, but the whole country has lost one of its most distinguished and respectable sons.

* These words are italicised in the original.

'It is at the threshold we must yet pause. The steps we now take, we may not be able to retrace. *The pledges we now give to our citizens we may not be able to recal.* When thousands, perhaps millions of dollars shall have been invested in manufactures, with the assurance of public support and protection, *we know not how with justice this system could be abandoned*, and the property vested, under such assurance, be devoted to irretrievable destruction. Even if the evils attendant upon these efforts should prove, in every respect, pernicious, and should press sorely on every other branch of national industry, we must go on.'

It deserves carefully to be noticed that at the very time these views of the subject were taken in the memorials presented to Congress, the House of Representatives of South Carolina, unanimously refused to adopt resolutions instructing their Representatives, to oppose the increase of duties contemplated at that time.

We beg to have this subject impartially and coolly weighed, in connexion with the present discontents. We will not now urge, that the foundation of the present manufacturing system was laid, in the war of 1812, and the measures which preceded it; a war in respect to which, it is the boast of South Carolina, that three of her distinguished citizens were mainly instrumental, in causing it to be declared. On the return of peace, the law of 1816 was passed, and of this law it is said by Mr. Hayne in his very able speech of 1824, that it 'may be considered as the commencement of the "anti-commercial system."' That law, as is well known, was supported by the leading South Carolina members. The citizens of the upper counties of South Carolina in their memorial of November, 1820, (page 7,) remark, that 'the Representatives of South Carolina in Congress, have invariably risen above sectional views, and regarded alone the general interests of the nation. One of those Representatives, in particular, the present Secretary of War, (Mr. Calhoun,) and we believe another, (Mr. Lowndes,) were decided advocates of the *tariff* formed soon after the war, which gave to the manufacturers a *liberal* protection.' From 1816, nothing of consequence was done till the enactment of the law of 1824, and though this law is always enumerated among the burdens of the South, it was so modified, on its passage through the two Houses of Congress, that Mr. Hayne was led to observe in a note to the speech, which we

have just quoted, that it 'received no less than thirty-seven amendments in the Senate, nearly all of which tended to render its operation less oppressive, and to deprive it of its prohibitory character.' For the obnoxious features of the tariff of 1828, the manufacturers are really not to blame. They sought, in the first instance, merely a remedy for that change of things, which had arisen, in consequence of British legislation, in the woollen manufacture; and wished only not to have that branch deprived by a foreign government, of the protection guarantied to it by our own. The bill for effecting this object failed in 1827. The law of 1828 was a law, for which the manufacturing interest was not responsible. It consisted of two classes of measures, one those, which purported to regard the interest of the farmers, the other those, which were inserted, by a combination of the Southern and grain-growing States, with the avowed purpose on the part of the former of rendering the bill unpalatable to the purely manufacturing and commercial part of the Union. The bill of the last session is one, which as it passed, contained no feature of itself objectionable to any part of the community; and contemporaneously with its passage, some of the obnoxious provisions of the tariff law,—the duties on salt and molasses,—were reduced.

Where then the occasion of this unmeasured excitement? The only evil alleged to exist in South Carolina, is, that cotton has fallen in price. The cause, to which this effect is ascribed, is the tariff. Suppose the tariff repealed, and that the demand for cotton would be increased to the extent of paying for all the fabrics which would be imported, instead of those now manufactured. We say, suppose this, though it would not follow for three reasons. First, the cottons of India would be manufactured from the growth of that country; second, all that industry which is now rendered productive exclusively by the tariff, would be annihilated, and could not import any thing, to be paid for by cotton, or any thing else; and third, the demand for cotton abroad does not depend on our demand for foreign manufactures, but on the general demand for cotton fabrics, which would not be proportionably increased by our ceasing to manufacture. But waiving all this, and supposing that America would export, say one fifth more of cotton annually. The effect of this increased demand is to be diffused over Virginia, North Carolina, South Carolina, Georgia, Tennessee, Alabama, Mississippi, Louisiana, and the Territory of

Arkansas. South Carolina would, in her proportion, feel the effect of this demand, and produce her share of the additional supply. But the price of her cotton would not be raised a mill per pound, for the obvious reason, that there is a great abundance of good cotton land in the nine States enumerated, not yet taken up.

Will South Carolina then dissolve the Union, for the sake of exporting a few thousand bags more of cotton, at the present price? We do not believe it. And could she, in the councils of her leading men, or in her popular assemblies, be induced to contemplate the consequences of carrying out the principles she now proclaims, we are well convinced she would be the first to repudiate them. She has been lavish in her condemnation of the doctrines advanced in this part of the country, in the war of 1812, doctrines declared by one of her own leading statesmen in 1821, to be similar to those then advanced by the State right politicians of that day. No one, surely, will undertake to draw a distinction between the doctrines of Virginia and Georgia in 1821, and those of South Carolina in 1828, to the advantage of the latter. We do not know that in 1821 the integrity of the Union was threatened in a whisper. In 1828, '*Disunion*' is proposed as our salvation, at a great public celebration, sanctioned by Representatives and Senators, and the consequences of a separation from the rest of the United States, and the erection of Charleston into a free port, are calmly set forth on the floor of Congress. This is done by politicians, who entertain and express the sternest disapprobation of the Hartford Convention and its doings.

We know it is said, that the Hartford Convention was called in time of war; that the movements of South Carolina are in profound peace. A separation of the Union, and civil war, in a time of peace! Yes, truly, as all signs of rain fail in a season of drought. The sign has failed, but the thing signified comes; and while the sky presents the aspect of a broad overarching mirror, and the breeze is as dry as the dust which is driven before it, the face of the heavens in a moment is changed; the mighty host of waters comes down from the opening clouds; the swelling streams burst from their channels; and the fruits of the earth and the labors of man are swept onward in undistinguished ruin. Nor does the lesson of the philosophic poet stop here.* In this midnight of storms,

* Virgil, Georgic. III.

and wreck of nature, the incensed divinity is abroad. He seizes his thunder in his red right hand, and strikes dread into the hearts of men, throughout the nations.

God preserve us from the day, when, to punish this nation for all its ill desert, though it were ten times greater than our worst enemy has painted it, any member of the common family, in war or in peace, shall separate from the Union. It has been said, that if this Union were consolidated into one Government, it would be the most corrupt Government ever known. Perhaps. If it be broken into separate independencies, it will present a scene of embittered and merciless civil wars, beyond those of republican Greece, or Italy in the middle ages. For ourselves, though every factory in the North were one great machine for transmuting iron into gold, we would rather see them all levelled to the earth, than that one State should be separated from the Union. We know, that to every part of the country this would be all, and more than all, that is wrapped up in that inauspicious phrase, 'the beginning of evils.' It would be evil in the beginning and from the beginning; and it would be misery, cruelty, and havoc, in the continuance; and utter ruin in the end. It would be on the grandest scale and in the extremest exasperation, a comprehensive family quarrel, in which a thousand natural bonds of union would be so many causes of unappeasable and remorseless hatred and hostility. There would be an agonizing struggle of domestic parties, on each side respectively, with the attendant train of rapine, assassination, judicial cruelty, and military execution. There would be an incessant border war; and from time to time a vast array of warlike forces and hostile inroads, with their wasting, demoralizing, and all-destroying consequences. Close in the train would follow foreign alliance and foreign war, in the very nature of their cause, of indefinite duration. To suppose that Republican Government could be kept up in such a condition of things, in any part of the country, would be deafness to the teachings of common reason and history. The act, by which one State severs itself from this Union, entails a military despotism on that State, and probably on every other.

The auspicious consequences to South Carolina of separating herself from the Union, and establishing her independence, have been depicted, even on the floor of Congress; a free trade with all the world, and a revenue of eight millions of dol-

lars, applied to all the objects of public improvement. But, laying aside the entire effect of the passions that would be enkindled, will the rest of the Union acquiesce in this state of things? Will the other States permit any one to make itself foreign to them? There is no provision in the Constitution that authorizes it; the evils that would flow from it to the remaining States are so enormous, that, on the ground of self-preservation, they could not permit it. Would it be permitted to Tennessee to separate from the Union, and thus throw a foreign sovereignty between the South-western States and the Capital? Or could Ohio declare herself independent, and leave Indiana and Illinois insulated on the British frontier? Surely not. On the day that the intelligence should be received, that South Carolina had obstructed the execution of a law of the United States, the President, if he did his duty, would call out the militia of North Carolina, of Tennessee, and of Georgia, to enforce it, (as General Washington called out the militia of New Jersey, Pennsylvania, Virginia, and Maryland, in 1794;) nay, he would call out the militia of South Carolina herself, for one of the three cases, which the Constitution provides; and the example of Massachusetts has well taught the States of this Union to beware of withholding their militia, when called out under an act of Congress, or of undertaking to judge for themselves whether the exigency exists. Then the port of Charleston, if declared free by South Carolina, would be put in a state of blockade by Congress. The Columbus, and the Independence, and the Franklin, and the Brandywine, and the Lexington, would one by one take their stations on the edge of the bar; and last of all, the poor old Constitution herself, almost coeval with her afflicted namesake, would obey the unwelcome summons. She would come, not skimming over the waves like the sea-bird that scarce wets his bosom on their snowy crests; not ringing with glad shouts, and the rapture of anticipated triumph, as when she ranged like a mighty monster of the deep, beneath the castles of Tripoli, striking them dumb as she passed; or as when she spread her broad and glorious banner to the winds, and rushed, like a strong man rejoicing to run a race, on the Guerriere and the Java. Her dark and weather-beaten sides would loom slowly and mournfully from the deep. Who will not weep, that shall see her sadly displaying her beautiful banner, with one bright star veiled forever, with one dear stripe effaced,—one of the old thirteen, that was

emblazoned upon the broad folds, when they were first unrolled on the morning of Independence; and was not obliterated, when they were trailed along, torn and daggled with blood, in the days of the country's tribulation; but now, alas, voluntarily blotted from them by South Carolina herself? Who could support the sight, when a squadron of the United States of America should obey the stern command of duty, and rush down in dark and fatal array on the old palmetto fort! But a worse sight than this must be borne. By the necessity of the political system in which we live; a necessity stronger than men and stronger than parties; whatsoever State shall drop from this Union, will fall into the arms of England. We know that this would be a bitter necessity to a patriotic State, but it would be her inevitable doom. Scarcely will the squadron of the United States have appeared off the waters of Charleston, to engage reluctantly in a civil war with their brethren, when a British fleet will hasten to relieve the free port; and the Royal George, and the Sovereign, and the Majestic, and the Leopard, and the Shannon, will be again arrayed against the United States, in alliance with South Carolina. Into what condition will this plunge the United States, or the disunited State? We freely admit, that it would plunge the United States into an abyss of suffering. On South Carolina itself, it would bring a direr scourge than foreign or civil war, a *bellum plusquam civile*, in which, in the most terrific sense, a man's *foes shall be those of his own household.*

This is not the language of one who looks with indifference at the burdens, real or imaginary, of any part of the Union. It is not the language of taunt or derision. It is the language of one who respects the character, acknowledges the rights, and desires the prosperity of South Carolina, as sincerely as any one of her citizens. It is a language in which one of the most distinguished of those citizens has lately himself, in substance, addressed her. At the festival held at Charleston, on the third of July, Col. Drayton, the Representative of that city in Congress, in a speech which will do him credit, as long as the Union, or the memory of the Union, shall last, thus expressed himself on this great question:

'Should the efforts which I have suggested fail of success—should the law we complain of remain unrepealed upon our statute book—we should then inquire, whether a recurrence to the remedy which I have adverted to, would not be worse than the

malady it professes to cure—whether its certain consequence would not be disunion—whether disunion would not be fraught with more disastrous results than the provisions of the act—whether it would not create a division in our own State, producing the direst of national calamities—civil war. After pondering dispassionately and profoundly, upon these questions, we are bound by every social and moral duty to select the least of the evils presented to us. For my own part, I feel no hesitation in avowing that I should regard the separation of South Carolina from the Union, as incalculably more to be deplored, than the existence of the law which we condemn.'

But the consequences, which we have hitherto hinted at, of the separation, are not the worst; as certain as any of them, as certain as destiny, would be the recolonization of South Carolina by Great Britain. What ensures, as against the claims of Great Britain, the independence of South Carolina? The treaty of 1783 with the United States? From this union South Carolina retires. Does she carry with her the benefits of its treaties? Certainly not; and if she did, who is to protect her in the enjoyment of those benefits? Will Great Britain refrain from taking renewed possession of her ancient colony? Why should she? What shall prevent her?

Let those, then, who are for weighing the value of the Union, remember, that, in the destiny of nations, as written by the hand of Heaven itself, *Upharsin* stands next to *Tekel:* Tekel, *thou art weighed in the balances and found wanting;* Upharsin, *thy kingdom is divided and given to the Medes and Persians.* The day that takes South Carolina from the Union, gives her to the British crown. Whatever be the first act of the American Congress which she nullifies, the second, as far as she is concerned, will be the Declaration of Independence.

In closing this article, we rejoice to have it in our power to submit to our readers the following communication from the venerable individual, to whom, more than to any one living, the people of the United States are indebted for the Constitution. This individual was an active member of the Continental Congress; a leader in the Convention that framed the Federal Constitution; and the most influential of its supporters in the Virginia Convention which adopted it. He wrote the greatest part of the Federalist; was the author of the Virginia Resolutions of 1798, and the Virginia Report of 1799; and for sixteen years was charged with the administration of the Government, as the

incumbent successively of the second and first offices in the Executive. The South Carolina doctrine reposes mainly on the alleged authority of the Virginia Resolutions; and it is therefore scarcely necessary to add, that there is no man, whose voice, on the point in controversy, is entitled to be heard with so much deference as that of their author. We doubt not it will be heard with respect by the people of the United States, and that its utterance, at this moment, will be felt as a new title to their gratitude.*

'Montpelier, August, 1830.

'Dear Sir,

I have duly received your letter, in which you refer to the "nullifying doctrine," advocated, as a constitutional right, by some of our distinguished fellow-citizens; and to the proceedings of the Virginia Legislature in '98 and '99, as appealed to in behalf of that doctrine; and you express a wish for my ideas on those subjects.

'I am aware of the delicacy of the task in some respects, and the difficulty in every respect, of doing full justice to it. But, having, in more than one instance, complied with a like request from other friendly quarters, I do not decline a sketch of the views which I have been led to take of the doctrine in question, as well as some others connected with them; and of the grounds from which it appears, that the proceedings of Virginia have been misconceived by those who have appealed to them. In order to understand the true character of the Constitution of the United States, the error, not uncommon, must be avoided, of viewing it through the medium, either of a consolidated Government, or of a confederated Government, whilst it is neither the one nor the other; but a mixture of both. And having, in no model, the similitudes and analogies applicable to other systems of Government, it must, more than any other, be its own interpreter according to its text and *the facts of the case.*

'From these it will be seen, that the characteristic peculiarities of the Constitution are, 1, the mode of its formation; 2, the division of the supreme powers of Government between the States in their united capacity, and the States in their individual capacities.

'1. It was formed, not by the Governments of the component States, as the Federal Government for which it was substituted was formed. Nor was it formed by a majority of the people of the

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* It is perhaps superfluous to observe, that the venerable author of this letter is in no way responsible for any sentiment contained in our article, to which it is appended.

United States, as a single community, in the manner of a consolidated Government.

'It was formed by the States, that is, by the people in each of the States, acting in their highest sovereign capacity; and formed consequently by the same authority which formed the State Constitutions.

'Being thus derived from the same source as the Constitutions of the States, it has, within each State, the same authority as the Constitution of the State; and is as much a Constitution, in the strict sense of the term, within its prescribed sphere, as the Constitutions of the States are, within their respective spheres: but with this obvious and essential difference, that being a compact among the States in their highest sovereign capacity, and constituting the people thereof one people for certain purposes, it cannot be altered or annulled at the will of the States individually, as the Constitution of a State may be at its individual will.

'2. And that it divides the supreme powers of Government, between the Government of the United States, and the Governments of the individual States, is stamped on the face of the instrument; the powers of war and of taxation, of commerce and of treaties, and other enumerated powers vested in the Government of the United States, being of as high and sovereign a character, as any of the powers reserved to the State Governments.

'Nor is the Government of the United States, created by the Constitution, less a Government in the strict sense of the term, within the sphere of its powers, than the Governments created by the Constitutions of the States are, within their several spheres. It is like them organized into Legislative, Executive, and Judiciary Departments. It operates, like them, directly on persons and things. And, like them, it has at command a physical force for executing the powers committed to it. The concurrent operation in certain cases, is one of the features marking the peculiarity of the system.

'Between these different Constitutional Governments, the one operating in all the States, the others operating separately in each, with the aggregate powers of Government divided between them, it could not escape attention, that controversies would arise concerning the boundaries of jurisdiction; and that some provision ought to be made for such occurrences. A political system that does not provide for a peaceable and authoritative termination of occurring controversies, would not be more than the shadow of a Government; the object and end of a real Government being, the substitution of law and order, for uncertainty, confusion, and violence.

'That to have left a final decision, in such cases, to each of the

States, then thirteen, and already twenty-four, could not fail to make the Constitution and laws of the United States different in different States, was obvious; and not less obvious, that this diversity of independent decisions, must altogether distract the Government of the Union, and speedily put an end to the Union itself. A uniform authority of the laws, is in itself a vital principle. Some of the most important laws could not be partially executed. They must be executed in all the States, or they could be duly executed in none. An impost, or an excise, for example, if not in force in some States, would be defeated in others. It is well known that this was among the lessons of experience, which had a primary influence in bringing about the existing Constitution. A loss of its general authority would moreover revive the exasperating questions between the States holding ports for foreign commerce, and the adjoining States without them; to which are now added, all the inland States, necessarily carrying on their foreign commerce through other States.

'To have made the decisions under the authority of the individual States, co-ordinate, in all cases, with decisions under the authority of the United States, would unavoidably produce collisions incompatible with the peace of society, and with that regular and efficient administration, which is of the essence of free governments. Scenes could not be avoided, in which a ministerial officer of the United States, and the correspondent officer of an individual State, would have rencounters in executing conflicting decrees; the result of which would depend on the comparative force of the local posses attending them; and that, a casualty depending on the political opinions and party feelings in different States.

'To have referred every clashing decision, under the two authorities, for a final decision, to the States as parties to the Constitution, would be attended with delays, with inconveniences, and with expenses, amounting to a prohibition of the expedient; not to mention its tendency to impair the salutary veneration for a system requiring such frequent interpositions, nor the delicate questions which might present themselves as to the form of stating the appeal, and as to the quorum for deciding it.

'To have trusted to negotiation for adjusting disputes between the Government of the United States and the State Governments, as between independent and separate sovereignties, would have lost sight altogether of a Constitution and Government for the Union; and opened a direct road from a failure of that resort, to the *ultima ratio* between nations wholly independent of and alien to each other. If the idea had its origin in the process of adjustment, between separate branches of the same Government, the

analogy entirely fails. In the case of disputes between independent parts of the same Government, neither part being able to consummate its will, nor the Government to proceed without a concurrence of the parts, necessity brings about an accommodation. In disputes between a State Government, and the Government of the United States, the case is practically as well as theoretically different; each party possessing all the departments of an organized Government, Legislative, Executive, and Judiciary; and having each a physical force to support its pretensions. Although the issue of negotiation might sometimes avoid this extremity, how often would it happen among so many States, that an unaccommodating spirit in some would render that resource unavailing? A contrary supposition would not accord with a knowledge of human nature, or the evidence of our own political history.

'The Constitution, not relying on any of the preceding modifications, for its safe and successful operation, has expressly declared, on the one hand, 1, "that the Constitution, and the laws made in pursuance thereof, and all treaties made under the authority of the United States, shall be the supreme law of the land; 2, that the Judges of every State shall be bound thereby, any thing in the Constitution and laws of any State, to the contrary notwithstanding; 3, that the judicial power of the United States shall extend to all cases in law and equity arising under the Constitution, the laws of the United States, and treaties made under their authority, &c."

'On the other hand, as a security of the rights and powers of the States, in their individual capacities, against an undue preponderance of the powers granted to the Government over them in their united capacity, the Constitution has relied on, 1, the responsibility of the Senators and Representatives in the Legislature of the United States to the Legislatures and people of the States; 2, the responsibility of the President to the people of the United States; and 3, the liability of the Executive and Judicial functionaries of the United States to impeachment by the Representatives of the people of the States, in one branch of the Legislature of the United States, and trial by the Representatives of the States, in the other branch: the State functionaries, Legislative, Executive, and Judicial, being, at the same time, in their appointment and responsibility, altogether independent of the agency or authority of the United States.

'How far this structure of the Government of the United States is adequate and safe for its objects, time alone can absolutely determine. Experience seems to have shewn, that whatever may grow out of future stages of our national career, there is, as yet, a sufficient control, in the popular will, over the Executive and Le-

gislative Departments of the Government. When the Alien and Sedition Laws were passed in contravention to the opinions and feelings of the community, the first elections that ensued put an end to them. And whatever may have been the character of other acts, in the judgment of many of us, it is but true, that they have generally accorded with the views of a majority of the States and of the people. At the present day it seems well understood, that the laws which have created most dissatisfaction, have had a like sanction without doors; and that, whether continued, varied, or repealed, a like proof will be given of the sympathy and responsibility of the Representative body, to the constituent body. Indeed, the great complaint now is, against the results of this sympathy and responsibility in the Legislative policy of the nation.

With respect to the judicial power of the United States, and the authority of the Supreme Court in relation to the boundary of jurisdiction between the Federal and the State Governments, I may be permitted to refer to the thirty-ninth number of the "Federalist,"* for the light in which the subject was regarded by its writer, at the period when the Constitution was depending; and it is believed, that the same was the prevailing view then taken of it, that the same view has continued to prevail, and that it does so at this time, notwithstanding the eminent exceptions to it.

'But it is perfectly consistent with the concession of this power to the Supreme Court, in cases falling within the course of its functions, to maintain that the power has not always been rightly exercised. To say nothing of the period, happily a short one, when Judges in their seats did not abstain from intemperate and party harangues, equally at variance with their duty and their dignity; there have been occasional decisions from the bench, which have incurred serious and extensive disapprobation. Still it would seem, that, with but few exceptions, the course of the Judiciary has been hitherto sustained by the predominant sense of the nation.

'Those who have denied or doubted the supremacy of the judi-

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* No. 39. 'It is true, that in controversies relating to the boundary between the two jurisdictions, the tribunal which is ultimately to decide, is to be established under the General Government. But this does not change the principle of the case. The decision is to be impartially made, according to the rules of the Constitution; and all the usual and most effectual precautions are taken to secure this impartiality. Some such tribunal is clearly essential to prevent an appeal to the sword, and a dissolution of the compact; and that it ought to be established under the General, rather than under the local Governments; or, to speak more properly, that it could be safely established under the first alone, is a position not likely to be combated.'

cial power of the United States, and denounce at the same time a nullifying power in a State, seem not to have sufficiently adverted to the utter inefficiency of a supremacy in a law of the land, without a supremacy in the exposition and execution of the law; nor to the destruction of all equipoise between the Federal Government and the State Governments, if, whilst the functionaries of the Federal Government are directly or indirectly elected by and responsible to the States, and the functionaries of the States are in their appointment and responsibility wholly independent of the United States, no constitutional control of any sort belonged to the United States over the States. Under such an organization, it is evident that it would be in the power of the States, individually, to pass unauthorized laws, and to carry them into complete effect, any thing in the Constitution and laws of the United States to the contrary notwithstanding. This would be a nullifying power in its plenary character; and whether it had its final effect, through the Legislative, Executive, or Judiciary organ of the State, would be equally fatal to the constituted relation between the two Governments.

'Should the provisions of the Constitution as here reviewed, be found not to secure the Government and rights of the States, against usurpations and abuses on the part of the United States, the final resort within the purview of the Constitution, lies in an amendment of the Constitution, according to a process applicable by the States.

'And in the event of a failure of every constitutional resort, and an accumulation of usurpations and abuses, rendering passive obedience and non-resistance a greater evil, than resistance and revolution, there can remain but one resort, the last of all; an appeal from the cancelled obligations of the constitutional compact, to original rights and the law of self-preservation. This is the *ultima ratio* under all Governments, whether consolidated, confederated, or a compound of both; and it cannot be doubted, that a single member of the Union, in the extremity supposed, but in that only, would have a right, as an extra and ultra-constitutional right, to make the appeal.

This brings us to the expedient lately advanced, which claims for a single State a right to appeal against an exercise of power by the Government of the United States decided by the State to be unconstitutional, to the parties to the constitutional compact; the decision of the State to have the effect of nullifying the act of the Government of the United States, unless the decision of the State be reversed by three fourths of the parties.

The distinguished names and high authorities which appear to have asserted and given a practical scope to this doctrine, entitle it to a respect which it might be difficult otherwise to feel for it.

'If the doctrine were to be understood as requiring the three fourths of the States to sustain, instead of that proportion to reverse the decision of the appealing State, the decision to be without effect during the appeal, it would be sufficient to remark, that this extra-constitutional course might well give way to that marked out by the Constitution, which authorizes two thirds of the States to institute and three fourths to effectuate an amendment of the Constitution, establishing a permanent rule of the highest authority, in place of an irregular precedent of construction only.

'But it is understood that the nullifying doctrine imports that the decision of the State is to be presumed valid, and that it overrules the law of the United States, unless overruled by three fourths of the States.

'Can more be necessary to demonstrate the inadmissibility of such a doctrine, than that it puts it in the power of the smallest fraction over one fourth of the United States, that is, of seven States out of twenty four, to give the law and even the Constitution to seventeen States, each of the seventeen having as parties to the Constitution, an equal right with each of the seven, to expound it, and to insist on the exposition? That the seven might, in particular instances be right, and the seventeen wrong, is more than possible. But to establish a positive and permanent rule giving such a power, to such a minority, over such a majority, would overturn the first principle of free government, and in practice necessarily overturn the Government itself.

'It is to be recollected that the Constitution was proposed to the people of the States as *a whole*, and unanimously adopted by the States as *a whole*, it being a part of the Constitution that not less than three fourths of the States should be competent to make any alteration in what had been unanimously agreed to. So great is the caution on this point, that in two cases where peculiar interests were at stake, a proportion even of three fourths is distrusted, and unanimity required to make an alteration.

When the Constitution was adopted as a whole, it is certain that there were many parts, which, if separately proposed, would have been promptly rejected. It is far from impossible, that every part of a Constitution might be rejected by a majority, and yet taken together as a whole be unanimously accepted. Free Constitutions will rarely if ever be formed, without reciprocal concessions; without articles conditioned on and balancing each other. Is there a Constitution of a single State out of the twenty-four that would bear the experiment of having its component parts submitted to the people and separately decided on?

'What the fate of the Constitution of the United States would be if a small proportion of the States could expunge parts of it particularly valued by a large majority, can have but one answer.

'The difficulty is not removed by limiting the doctrine to cases of construction. How many cases of that sort, involving cardinal provisions of the Constitution, have occurred? How many now exist? How many may hereafter spring up? How many might be ingeniously created, if entitled to the privilege of a decision in the mode proposed?

'Is it certain that the principle of that mode would not reach further than is contemplated. If a single State can of right require three fourths of its co-States to overrule its exposition of the Constitution, because that proportion is authorized to amend it, would the plea be less plausible that, as the Constitution was unanimously established, it ought to be unanimously expounded?

'The reply to all such suggestions seems to be unavoidable and irresistible; that the Constitution is a compact, that its text is to be expounded according to the provisions for expounding it—making a part of the compact; and that none of the parties can rightfully renounce the expounding provision more than any other part. When such a right accrues, as may accrue, it must grow out of abuses of the compact releasing the sufferers from their fealty to it.

'In favor of the nullifying claim for the States, individually, it appears, as you observe, that the proceedings of the Legislature of Virginia, in '98 and '99, against the Alien and Sedition Acts, are much dwelt upon.

'It may often happen, as experience proves, that erroneous constructions not anticipated, may not be sufficiently guarded against, in the language used; and it is due to the distinguished individuals, who have misconceived the intention of those proceedings, to suppose that the meaning of the Legislature, though well comprehended at the time, may not now be obvious to those unacquainted with the contemporary indications and impressions.

'But it is believed that by keeping in view the distinction between the Governments of the States, and the States in the sense in which they were parties to the Constitution; between the rights of the parties, in their concurrent and in their individual capacities; between the several modes and objects of interposition against the abuses of power, and especially between interpositions within the purview of the Constitution, and interpositions appealing from the Constitution to the rights of nature paramount to all Constitutions; with an attention, always of explanatory use, to the views and arguments which were combated, the Resolutions of Virginia, as vindicated in the Report on

them, will be found entitled to an exposition, showing a consistency in their parts, and an inconsistency of the whole with the doctrine under consideration.

'That the Legislature could not have intended to sanction such a doctrine, is to be inferred from the debates in the House of Delegates, and from the address of the two Houses to their constituents, on the subject of the Resolutions. The tenor of the debates, which were ably conducted and are understood to have been revised for the press by most, if not all, of the speakers, discloses no reference whatever to a constitutional right in an individual State, to arrest by force the operation of a law of the United States. Concert among the States for redress against the Alien and Sedition Laws, as acts of usurped power, was a leading sentiment; and the attainment of a concert, the immediate object of the course adopted by the Legislature, which was that of inviting the other States "to *concur*, in declaring the acts to be unconstitutional, and to *co-operate* by the necessary and proper measures in maintaining unimpaired the authorities, rights and liberties reserved to the States respectively and to the people."* That by the necessary and proper measures to be *concurrently* and *co-operatively* taken, were meant measures known to the Constitution, particularly the ordinary control of the people and Legislatures of the States, over the Government of the United States, cannot be doubted; and the interposition of this control, as the event showed, was equal to the occasion.

'It is worthy of remark, and explanatory of the intentions of the Legislature, that the words "not law, but utterly null, void and of no force or effect," which had followed, in one of the Resolutions, the word "unconstitutional," were struck out by common consent. Though the words were in fact but synonymous with "unconstitutional;" yet to guard against a misunderstanding of this phrase as more than declaratory of opinion, the word "unconstitutional" alone was retained, as not liable to that danger.

'The published Address of the Legislature to the people, their constituents, affords another conclusive evidence of its views. The Address warns them against the encroaching spirit of the General Government, argues the unconstitutionality of the Alien and Sedition Acts, points to other instances in which the constitutional limits had been overleaped; dwells upon the dangerous mode of deriving power by implication; and in general presses the necessity of watching over the consolidating tendency of the Federal policy. But nothing is said that can be

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* See the concluding resolution of 1798.

understood to look to means of maintaining the rights of the States, beyond the regular ones, within the forms of the Constitution.

'If any further lights on the subject could be needed, a very strong one is reflected in the answers to the Resolutions, by the States which protested against them. The main objection of these, beyond a few general complaints of the inflammatory tendency of the Resolutions, was directed against the assumed authority of a State Legislature to declare a law of the United States unconstitutional, which they pronounced an unwarrantable interference with the exclusive jurisdiction of the Supreme Court of the United States. Had the Resolutions been regarded as avowing and maintaining a right, in an individual State, to arrest, by force, the execution of a law of the United States, it must be presumed that it would have been a conspicuous object of their denunciation.

'With cordial salutations,

JAMES MADISON.'

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